
COMPENDIUM OF BUDGET INFORMATION
FOR THE
2008 GENERAL SESSION

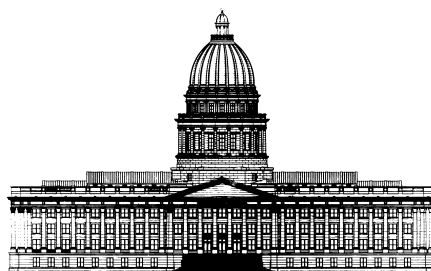
JOINT APPROPRIATIONS SUBCOMMITTEE FOR
PUBLIC EDUCATION

OFFICE OF THE LEGISLATIVE FISCAL ANALYST
R. BENJAMIN LEISHMAN
MINIMUM SCHOOL PROGRAM
& EDUCATION AGENCIES

DANNY SCHOENFELD
UTAH STATE OFFICE OF REHABILITATION

NOVEMBER 16, 2007

UTAH STATE LEGISLATURE
COMPENDIUM OF BUDGET INFORMATION
FOR THE
2008 GENERAL SESSION

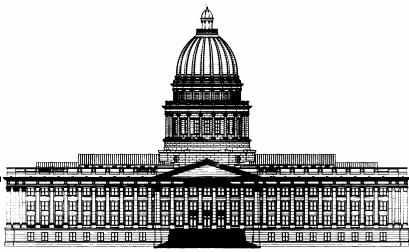


JONATHAN C. BALL, DIRECTOR

OFFICE OF THE LEGISLATIVE FISCAL ANALYST
W310 STATE CAPITOL COMPLEX
SALT LAKE CITY, UTAH 84114-5310

801-538-1034

WWW.LE.UTAH.GOV



JONATHAN C. BALL
LEGISLATIVE FISCAL ANALYST

OFFICE OF THE LEGISLATIVE FISCAL ANALYST

W310 STATE CAPITOL COMPLEX • P.O. BOX 145310
SALT LAKE CITY, UTAH 84114-5310 • WWW.LE.STATE.UT.US/LFA
PHONE: (801) 538-1034 • FAX: (801) 538-1692

November 16, 2007

Members of the Public Education Appropriations Subcommittee
Utah State Capitol
Salt Lake City, UT 84114

Dear Legislators:

Please find attached the fourth edition of the Utah Legislature's Compendium of Budget Information (COBI). COBI is one part of a three-pronged approach to staff budget analysis. It is designed as a reference document in which you will find detail on Utah state government activities within your subcommittee's jurisdiction. It includes program descriptions, references to statutory authority, accountability information, and, of course, budget data. COBI sets a baseline against which you can evaluate budgets proposed during the 2008 General Session.

Parts two and three of the Legislature's budget analysis – Budget Briefs and Issue Briefs – will be available throughout the 2008 General Session beginning in January. Both are succinct, decision oriented papers that build on COBI, presenting future budget options rather than COBI's *status quo*. Budget Briefs follow the structure of state appropriations, documenting proposals for current year supplemental and future year budget action. Issue Briefs cut across "silos" to discuss subjects that impact state appropriations independent of program structure.

Detail on current state appropriations as they relate to your subcommittee are included in the "2008 Appropriated" column of the budget tables herein. Utah's total budget, by funding source, subcommittee, and category of expenditure, is summarized in the table on the following page.

If I or another member of your budget staff can assist you further regarding this document or any other matter, please do not hesitate to contact me at (801) 538-1034.

Sincerely,

Jonathan C. Ball
Legislative Fiscal Analyst

Budget History - State of Utah					
	2004	2005	2006	2007	2008
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	1,745,251,100	1,767,809,300	1,910,800,100	1,781,898,100	2,087,726,350
General Fund, One-time	532,700	117,544,000	121,540,000	454,595,540	274,236,220
Uniform School Fund	1,734,161,174	1,815,156,111	1,917,934,675	2,115,252,445	2,413,266,208
Uniform School Fund, One-time	5,891,000	34,800,900	43,725,000	74,357,300	226,538,200
Education Fund	112,000,000	200,520,900	235,260,900	548,663,800	463,136,000
Education Fund, One-time	(23,200,000)	52,073,500	19,496,600	62,412,200	430,655,900
Transportation Fund	391,891,100	437,416,000	421,112,200	422,737,800	431,650,000
Transportation Fund, One-time	0	277,100	126,371,900	1,200,000	2,000,000
Centennial Highway Fund	117,531,900	145,772,200	126,393,400	127,976,800	128,607,800
Centennial Highway Fund, One-time	1,796,800	0	0	0	0
General Fund Restricted	154,215,300	171,101,700	214,281,100	206,576,236	251,830,800
Uniform School Fund Restricted	72,000	90,700	14,306,100	15,168,000	22,518,100
Transportation Fund Restricted	29,813,200	30,720,100	37,215,500	41,330,900	40,506,800
Federal Funds	2,174,694,678	2,264,204,145	2,294,817,646	2,382,363,452	2,501,100,000
Dedicated Credits	614,539,399	730,196,287	654,136,650	702,670,540	718,173,500
Land Grant	804,700	1,040,435	1,807,732	1,943,425	1,608,500
Federal Mineral Lease	64,176,600	64,785,719	98,278,950	92,423,753	119,865,200
Restricted Revenue	2,944,000	273,700	17,603,200	21,725,600	0
Trust and Agency Funds	406,862,037	380,298,477	668,947,402	1,048,476,080	966,725,621
Transfers	312,446,922	314,413,473	350,828,925	362,909,859	347,464,700
Repayments/Reimbursements	15,206,500	11,107,200	11,816,900	11,816,900	31,005,000
Other Financing Sources	0	0	233,722	871,096	0
Pass-through	994,900	1,503,200	1,081,300	1,276,400	90,200
Beginning Balance	508,223,541	326,000,043	270,710,688	432,551,849	122,032,500
Closing Balance	(408,377,198)	(348,039,802)	(286,829,794)	(539,495,843)	(79,332,250)
Lapsing Balance	(56,071,454)	(20,646,900)	(25,473,500)	(98,932,100)	(2,537,000)
Total	\$7,906,400,899	\$8,498,418,488	\$9,246,397,295	\$10,272,770,132	\$11,498,868,349
Appropriations Subcommittees					
Executive Offices & Criminal Justice	582,590,000	618,377,000	650,467,100	678,266,700	761,042,750
Capital Facilities & Government Operat	283,219,900	466,535,900	400,525,000	534,265,800	631,601,700
Commerce & Workforce Services	370,080,100	381,785,400	374,734,600	383,649,600	449,118,300
Economic Development and Revenue	193,681,700	174,955,900	250,681,500	246,992,000	425,160,000
Health & Human Services	1,988,592,616	2,145,033,300	2,307,382,500	2,345,326,200	2,529,930,600
Higher Education	934,067,900	991,420,900	1,057,207,218	1,121,954,267	1,220,739,200
Natural Resources	165,264,800	166,619,200	189,936,600	236,873,300	228,923,600
Public Education	2,438,357,683	2,593,642,788	2,771,942,577	3,009,733,825	3,543,591,829
Transportation & Environmental Qualit	935,857,900	945,086,000	1,227,356,000	1,698,165,700	1,688,463,600
Legislature	14,688,300	14,962,100	16,164,200	17,542,740	20,296,770
Total	\$7,906,400,899	\$8,498,418,488	\$9,246,397,295	\$10,272,770,132	\$11,498,868,349
Categories of Expenditure					
Personal Services	1,807,281,594	1,898,751,798	1,997,933,580	2,100,891,174	2,344,090,220
In-State Travel	14,293,546	15,513,409	17,121,676	17,998,106	14,715,500
Out of State Travel	5,103,109	5,639,200	6,097,300	6,528,900	6,547,200
Current Expense	854,753,504	955,950,991	959,134,668	1,022,841,581	1,357,724,100
DP Current Expense	82,210,762	84,280,900	87,515,600	140,273,000	146,635,200
DP Capital Outlay	12,440,919	12,629,500	14,593,000	24,152,300	33,000,300
Capital Outlay	483,245,065	317,867,416	552,774,790	789,338,760	732,105,700
Other Charges/Pass Thru	4,646,861,100	5,077,496,574	5,494,754,581	6,043,460,911	6,856,055,229
Cost of Goods Sold	(129,500)	(135,800)	(813,200)	(227,600)	881,800
Cost Accounts	(24,500)	0	6,600	(600)	13,200
Operating Transfers	144,300	172,900	157,000	2,622,900	105,000
Transfers	0	0	0	75,400	0
Trust & Agency Disbursements	221,000	130,251,600	117,121,700	124,815,300	6,994,900
Total	\$7,906,400,899	\$8,498,418,488	\$9,246,397,295	\$10,272,770,132	\$11,498,868,349
Other Data					
Budgeted FTE	32,446.1	32,854.8	33,102.2	32,536.3	33,699.2
Vehicles	10,416	9,123	9,091	9,189	9,091

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CHAPTER 1 STATE BOARD OF EDUCATION**Function**

Article 10, Section 3 of the Utah Constitution states “The general control and supervision of the public education system shall be vested in a State Board of Education.” Further, the constitution reads “The State Board of Education shall appoint a State Superintendent of Public Instruction who shall be the executive officer of the board.” The Board and its appointed State Superintendent administer the various operating programs and divisions supporting Utah’s public education system. These programs and divisions include the Minimum School Program (MSP); School Building Program; Utah State Office of Education (USOE); Educator Licensing; Utah Charter School Board; Utah State Office of Rehabilitation (USOR); Utah Schools for the Deaf and the Blind (USDB); Child Nutrition Programs; Fine Arts Outreach; Science Outreach; and Education Contracts.

*State Board of
Education – Mission
and Vision*

The State Board adopted the following mission and vision statements to guide its role in overseeing Utah’s education system. “The Utah State Board of Education will fulfill its constitutional and statutory responsibilities by establishing policies that promote excellence in learning for all students. The Board will provide leadership, vision, advocacy, so that all students have educational opportunities to meet their potential and achieve proficiency.” Further, the Board’s Vision Statement reads, “We see Utah as a place where all children are of infinite value and the education of each child is our most pressing responsibility.”¹

The Board consists of 15 members, representing 15 voting districts. The State Board of Regents which governs the State’s higher education system appoints 2 Regents to participate as non-voting members of the State Board of Education. Accordingly, two members of the State Board of Education participate as non-voting members of the State Board of Regents. The budget for the State Board of Education may be found in the State Office of Education line item, discussed in Chapter 11.

Statutory Authority

The following statutory and constitutional references govern Utah’s education system. Each subsequent chapter details the statutory reference as they relate to education programs, agencies and line items.

- Utah State Constitution Article 10 - Education – The constitution provides for the establishment of free non-sectarian schools, defines what constitutes the public education system, and places the responsibility of general control and supervision of the system in a State Board of Education.
- UCA Title 53A - State System of Public Education – All statutory references for Utah’s public education system may be found in Section 53A.
- UCA 53A-1a-103 – Provides the mission of Utah’s public education system as recognized and defined by the Legislature.

¹ Utah State Board of Education. *Vision Statement, Mission Statement, and Goals*. Found at: <http://www.schools.utah.gov>

- UCA 53A-1a-104 – Details the characteristics of what constitutes Utah’s public education and that the Legislature shall assist in maintaining a system that meets these characteristics.

Funding Detail

The Utah State Constitution created the Uniform School Fund (USF) to support the State’s education system. Personal income tax provides the majority of USF revenue. Historically, over 85 percent of USF revenue comes from the Personal Income Tax. The remaining USF revenue sources include; the Corporate Franchise Tax and Corporate Income Tax.

Education Fund or Uniform School Fund

The Education Fund was established during the 2006 General Session of the Legislature. House Bill 294 stated that the “Education Fund shall receive all revenues from taxes on intangible property or from a tax on income and shall be designated for public and higher education.”² The Education Fund joins the General Fund as the two major revenue funds supporting state expenditures.

State funds supporting the public education system come from the Uniform School Fund (USF). The USF is a special revenue fund that “accounts for all revenues that are required by law to be expended for the public school programs of the state.”³ Revenues supporting the Uniform School Fund are appropriated from the Education Fund.

Appropriations from the Uniform School Fund are restricted to state public (K-12) education agencies, school districts, or other state programs providing education related services. In FY 2008, the USF has contributed approximately 73 percent of the total revenue that supports the state appropriated public education budget. The other major revenue sources include the Local Property Tax which contributes approximately 14 percent of the total revenue, Federal Funds which contribute about 11 percent. Other minor revenue sources contribute the remaining 2 percent to the budget. School districts and charter schools have additional revenues available to them outside the state appropriated budget. For school districts, these additional revenue sources are generated through levying local property taxes.

Public Education Expenditures

Three main expenditure categories comprise Utah’s public education system. The largest expenditure program in the State budget is the Minimum School Program (MSP). The MSP has total expenditures approaching \$3 billion and supports the State’s 40 school districts and 58 charter schools in FY 2008. For further detail on the MSP see chapter 2. In addition to the MSP, which supports school district operations, the Legislature provides funding for the School Building Program. The School Building Program helps support school building construction or renovation in the districts. Further information on the School Building Program may be found in chapter 3. Finally, the Public Education Agencies represent programs that support the education and development of students and the state’s disabled populations. Agency programs include the State Office of Education, Educator Licensing, State Office of Rehabilitation, Schools for the Deaf and Blind, Child Nutrition Programs, Fine Arts and Sciences Professional Education Outreach Programs,

² Utah State Legislature. “Creation of Education Fund,” House Bill 294 (2006 General Session). Alexander, J.

³ UCA 51-5-4. Funds established. Titles of funds. Fund functions.

and Education Contracts. Detail on the education agency programs may be found in chapters 11 through 20.

Funding Detail Table Table 1-1 below details the total public education budget in Utah. Revenues appropriated by the Legislature may be found in the first section of the table. The middle of the table shows the total appropriation distributed among the three main education programs mentioned above. Finally, the last table section details the appropriation by major expenditure category. Further detail on all table sections may be found in the chapters that follow.

Budget History - State Board of Education					
Sources of Finance	2004 Actual	2005 Actual	2006 Actual	2007 Actual	2008 Appropriated
General Fund	254,900	254,900	254,900	254,900	11,165,100
General Fund, One-time	0	1,400,000	2,585,900	7,600,000	3,900,000
Uniform School Fund	66,053,700	66,332,900	68,206,800	72,531,600	80,456,900
Uniform School Fund, One-time	0	676,100	4,146,000	13,316,900	2,546,000
Federal Funds	311,020,200	344,477,800	371,888,300	373,673,000	385,674,300
Dedicated Credits Revenue	23,853,600	25,466,900	28,502,300	31,304,100	30,059,000
Federal Mineral Lease	1,459,200	1,932,700	2,896,200	912,100	1,110,500
Restricted Revenue	0	0	0	494,500	0
GFR - Substance Abuse Prevention	396,500	490,000	494,100	0	495,900
USFR - Interest and Dividends Accour	0	0	80,000	81,900	83,300
USFR - Professional Practices	72,000	90,700	226,100	86,100	1,434,800
Transfers	3,796,900	3,394,600	805,100	3,674,200	3,820,800
Transfers - Child Nutrition	0	0	(394,600)	0	0
Transfers - Health	0	0	2,224,800	0	0
Transfers - Interagency	278,200	217,900	776,300	725,500	359,800
Transfers - State Office of Education	183,800	26,000	1,165,900	0	31,300
Beginning Nonlapsing	5,594,200	9,396,500	11,156,400	13,712,300	5,783,300
Closing Nonlapsing	(9,080,300)	(10,969,100)	(13,849,400)	(23,864,100)	(5,783,300)
Lapsing Balance	(90,800)	(1,115,500)	(15,700)	(100,000)	0
Total	\$403,792,100	\$442,072,400	\$481,149,400	\$494,403,000	\$521,137,700
Line Items					
State Office of Education	209,295,100	238,684,500	260,383,100	263,687,600	272,974,700
State Charter School Board	0	0	10,568,400	10,190,600	8,503,600
Educator Licensing	0	0	0	938,800	1,432,800
Parent Choice in Education Act	0	0	0	0	12,400,000
State Office of Rehabilitation	51,941,100	53,954,500	53,585,000	55,634,700	58,832,000
Child Nutrition	112,927,300	118,490,300	124,147,900	129,156,500	129,353,300
Fine Arts and Sciences	2,979,000	3,299,000	3,309,000	0	0
Fine Arts Outreach	0	0	0	2,631,100	3,103,600
Science Outreach	0	0	0	1,339,400	1,689,400
Educational Contracts	3,861,800	3,854,800	3,854,800	3,854,800	3,854,800
School for the Deaf and Blind	22,451,400	23,415,500	24,781,400	26,457,400	28,374,500
USDB - Institutional Council	336,400	373,800	519,800	512,100	619,000
Total	\$403,792,100	\$442,072,400	\$481,149,400	\$494,403,000	\$521,137,700
Categories of Expenditure					
Personal Services	51,128,900	54,690,800	58,937,000	63,607,600	83,764,700
In-State Travel	768,000	871,500	993,100	989,500	772,700
Out of State Travel	269,500	326,500	359,600	449,500	351,800
Current Expense	22,618,900	23,476,500	26,214,700	29,168,400	27,101,600
DP Current Expense	2,227,800	2,724,600	2,648,800	1,929,900	2,458,800
DP Capital Outlay	56,000	875,100	74,100	124,900	133,400
Capital Outlay	94,300	67,700	2,393,100	151,600	135,700
Other Charges/Pass Thru	326,628,700	359,039,700	389,529,000	397,981,600	406,419,000
Total	\$403,792,100	\$442,072,400	\$481,149,400	\$494,403,000	\$521,137,700
Other Data					
Budgeted FTE	1,000.0	1,004.0	1,058.4	1,047.6	1,051.9
Vehicles	83	83	107	107	107

Table 1-1

CHAPTER 2 MINIMUM SCHOOL PROGRAM**Function**

The Minimum School Program (MSP) is the primary funding source for Utah's 40 school districts and 58 charter schools. The Minimum School Programs support over 537,600 students that enrolled in Utah schools in Fall 2007.

The MSP is divided into five programs that collectively comprise the Minimum School Program. The Basic School Program has two sub-programs the Regular Program and the Restricted Program. Basic Program expenditures account for the largest portion of total MSP expenditures. The remaining four programs include the Related to Basic Programs, Special Populations, Board and Voted Leeway Programs, and an Other Program. In addition to these programs, the MSP accounts for other one-time appropriations made by the Legislature for distribution to school districts and charter schools.

Programs in the MSP provide revenue to local school districts and charter schools to support their education programs in all grades kindergarten through the 12th grade. Distribution of state revenue through the MSP is conducted on a formula basis. The MSP formula equalizes on a weighted pupil basis the state revenues allocated to the MSP and a portion of the local property tax revenue collected by the school districts. This equalization mechanism partially accommodates the revenue differences between 'richer' and 'poorer' school districts.

Charter schools also participate in the equalized MSP revenue distribution formula by receiving state revenues through the Basic School Program. However, since charter schools do not have the ability to levy property taxes they do not contribute to the Basic School Program in the same manner as school districts.

Revenue Equalization

Creation of the MSP established a mechanism for the state and local school districts to share in the cost of educating Utah's school children. Statute recognizes that "all children of the state are entitled to reasonably equal educational opportunities regardless of their place of residence in the state and of the economic situation of their respective school districts or other agencies."⁴ As mentioned above, formulas distributing MSP revenues function in a manner in order to equalize revenue among school districts and charter schools and to provide 'reasonably equal educational opportunities.'

Although the establishment of an educational system is largely a state function, Utah statute indicates that school districts also have a responsibility in providing funding to support the state's public education system. "School districts should be required to participate on a partnership basis [with the State] in the payment of a reasonable portion of the cost of a minimum program."⁵ Statute authorizes each school district to assess a minimum basic property tax levy to contribute to the MSP. "In order to qualify for receipt of

⁴ UCA 53A-17a-102(1). Minimum School Program – Purpose of Chapter.

⁵ UCA 53A-17a-102(2). Minimum School Program – Purpose of Chapter

the state contribution toward the basic program [of the Minimum School Program] and as its contribution toward its cost of the basic program, each school district shall impose a minimum basic tax rate per dollar of taxable value.”⁶ The minimum basic property tax levy is assessed by each of the 40 school districts and each district assesses the same basic property tax rate.

Basic Levy

School districts must impose the Basic Levy in order to participate in the MSP. The state contribution to the Basic Program of a school district equals the difference between the proceeds of the basic levy and the cost of the basic program. If the proceeds of the basic levy “equal or exceed the cost of the basic program in a school district, no state contribution shall be made to the basic program.”⁷ In the case that the proceeds from the basic levy exceed the cost of the basic program in a school district, statute includes a ‘recapture’ provision. Recaptured revenue is deposited in the state’s Uniform School Fund which supports state appropriations for public education.

The Legislature establishes the Basic Tax Rate required of all school districts in statute each year. The following table provides a history of the Basic Tax Rate and total revenue yield since 1990.

⁶ UCA 53A-17a-135(1)(a). Minimum basic tax rate – Certified revenue levy.

⁷ UCA 53A-17a-135(3)(a). Minimum basic tax rate – Certified revenue levy.

Public Education: Basic Tax Rates and Yield

1990 to 2007

Tax Year	Basic Rate	Statewide Revenue Yield
1990 (1)	0.004656	\$206,547,092
1992 (1)	0.004275	206,980,205
1992 (1)	0.004275	233,270,047
1993 (1)	0.004275	246,061,605
1994 (1)	0.004220	265,169,587
1995	0.002640	198,601,148
1996	0.002046	173,139,225
1997	0.001950	179,999,007
1998	0.001840	177,151,434
1999	0.001840	188,076,348
2000	0.001881	204,833,990
2001	0.001785	206,375,916
2002	0.001807	222,423,539
2003	0.001825	226,447,025
2004	0.001800	236,027,265
2005	0.001720	242,913,297
2006 (2)	0.001515	232,483,090
2007 (2)	0.001311	245,254,790

Notes:

1. Years in which funds were recaptured as a revenue source to the USF the following year from districts which collected more from the Basic Rate than they generated from the Basic School Program (WPUs). Since recapture funds are not available to the Basic School Program and are deposited as part of the total USF the following year, no recapture funds are shown in these data.
2. Yield shown is Legislative target rather than actual collections.

Sources: Utah State Office of Education, Finance and Statistics.

Basic Tax Rate and Yields. Found at: www.schools.utah.gov/finance/tax/rates

Office of the Legislative Fiscal Analyst. 2006-2007 Appropriations Report.

Prepared by: Office of the Legislative Fiscal Analyst (11/07BL).

Table 2-1*Weighted Pupil Unit*

The Weighted Pupil Unit (WPU) acts as the common factor in distributing Basic School Program revenue. The WPU is “the unit of measure of factors computed in accordance with the Minimum School Program Act, for the purpose of determining the costs of the basic school program on a uniform basis for each student.”⁸ The WPU represents one pupil in average daily membership (ADM). Specific programs in the MSP may generate fewer or additional WPUs based on statutory guidelines, most often, a specified student qualification. For example, students enrolled in kindergarten generate .55 of a WPU where students enrolled in Special Education may generate more than one WPU. Explanation of MSP programs found throughout this chapter will provide information on how WPUs are generated for each basic school program.

Value of the WPU

Each year, the Legislature establishes the dollar value for each WPU for the upcoming fiscal year. Funding levels for each of the Basic School Programs

⁸ UCA 53A-17a-103(6) – Minimum School Program Definitions.

is determined by the number of WPUs allocated to the program multiplied by the established value of the WPU. “When the Legislature provides an increase to the value of the WPU it is increasing the overall value of the Minimum School Program as allocated equally among LEAs [i.e. school districts/charter schools] based on their respective WPU count.”⁹

The value of the WPU generally increases as a percent over the previous year. Since the creation of the Weighted Pupil Unit in 1974 the value of the WPU has never decreased. From FY 1987 to FY 1999 the value of the WPU was not increased and in FY 2003 to FY 2004 the value increased less than one percent. In the remaining years the annual percent increase provided to the value of the WPU fluctuated from a high of 11 percent to a low of 1.5 percent. The following table details the 35 year history of the number of WPUs compared to the value of the WPU and fall enrollments.

⁹ Office of the Legislative Fiscal Analyst. Minimum School Program Compensation: A report to the Executive Appropriations Committee. July 2005.

Public Education: 35 Year WPU History

Comparison of the Value of the Weighted Pupil Unit, Number of Weighted Pupil Units
and Total Fall Enrollment
1973 to 2008

Fiscal Year	Value of the WPU	Percent Change	Total WPUs	Percent Change	Fall Enrollment	Percent Change
1973	**DU**		**DU**		306,264	
1974	508		352,710		306,299	0.0%
1975	560	10.2%	356,430	1.1%	307,924	0.5%
1976	621	10.9%	358,865	0.7%	309,708	0.6%
1977	683	10.0%	368,593	2.7%	314,471	1.5%
1978	732	7.2%	376,267	2.1%	317,308	0.9%
1979	795	8.6%	379,647	0.9%	324,468	2.3%
1980	852	7.2%	387,041	1.9%	332,575	2.5%
1981	946	11.0%	400,357	3.4%	342,885	3.1%
1982	1,003	6.0%	422,381	5.5%	354,540	3.4%
1983	1,081	7.8%	439,216	4.0%	369,338	4.2%
1984	1,103	2.0%	459,306	4.6%	378,208	2.4%
1985	1,124	1.9%	484,350	5.5%	390,141	3.2%
1986	1,180	5.0%	504,398	4.1%	405,305	3.9%
1987	1,204	2.0%	519,047	2.9%	415,994	2.6%
1988	1,204	0.0%	528,317	1.8%	423,386	1.8%
1989	1,204	0.0%	533,448	1.0%	429,551	1.5%
1990	1,240	3.0%	539,895	1.2%	435,762	1.4%
1991	1,346	8.5%	551,308	2.1%	444,732	2.1%
1992	1,408	4.6%	604,264	9.6%	454,218	2.1%
1993	1,490	5.8%	605,626	0.2%	461,259	1.6%
1994	1,539	3.3%	622,372	2.8%	468,675	1.6%
1995	1,608	4.5%	635,379	2.1%	471,402	0.6%
1996	1,672	4.0%	642,121	1.1%	473,666	0.5%
1997	1,739	4.0%	648,532	1.0%	478,028	0.9%
1998	1,791	3.0%	666,891	2.8%	479,151	0.2%
1999	1,854	3.5%	668,465	0.2%	477,061	-0.4%
2000	1,901	2.5%	669,408	0.1%	475,974	-0.2%
2001	2,006	5.5%	671,513	0.3%	475,269	-0.1%
2002	2,116	5.5%	625,549	-6.8%	477,801	0.5%
2003	2,132	0.8%	627,795	0.4%	481,143	0.7%
2004	2,150	0.8%	631,771	0.6%	486,938	1.2%
2005	2,182	1.5%	642,701	1.7%	495,682	1.8%
2006	2,280	4.5%	652,990	1.6%	510,012	2.9%
2007	2,417	6.0%	675,758	3.5%	525,660	3.1%
2008	2,514	4.0%	697,207	3.2%	540,189	2.8%

Notes:

- (1) Fall Enrollments by School Year. Fiscal Year 2007 = 2006-07 School Year, or Fall 2006 Enrollment.
 (2) FY 2008 enrollments (Fall 2007) as projected by the Common Data Committee.
 (3) FY 2008 Information as appropriated during the 2007 General Session.
 (4) Prior to 1974 Utah's education finance system used Distribution Units as the mechanism to distribute funds. The WPU was created through Legislation in the 1973 General Session.
 (5) In 1983 a converter was used to change WPUs to an ADM basis.

Sources: Utah State Office of Education, Finance and Statistics Section.
 Office of the Legislative Fiscal Analyst, Appropriations Reports.
 Governor's Office of Planning and Budget, Annual Budget Recommendations
 Prepared by: Office of the Legislative Fiscal Analyst (09/07BL).

Table 2-2

Revenue Distribution

The Minimum School Program is designed to be a distribution mechanism for equalized state and local revenue to school districts and charter schools. "To a degree, the Minimum School Program acts as a series of large block grants

provided by the state to support local level educational services.”¹⁰ Local boards of education, as well as charter school governing boards, have the discretion and responsibility to allocate funding based on the unique circumstances of the district or charter school. Revenue distributed through the WPU “is not a plan of expenditure or ‘budget’ for the LEA [i.e. school district or charter school] to follow.”¹¹

Funding received through the MSP, combined with local property tax revenues and federal funds, assists school districts and charter schools in meeting the expenses of operating an education system. These expenditures include employee salaries, health and dental insurance, employee retirement, class size, school construction and renovation, curriculum, textbooks and supplies, along with a myriad of other educational related expenses. The expenses faced by a local board each year will determine the level of funding available for each program offered in the district or charter school, as well as, the level of employee compensation increases. Compensation issues are determined through local contract negotiations regardless of Legislative funding decisions or increases provided to the value of the WPU.

Funding Legislation

The Minimum School Program Act is unique in comparison with other budgetary acts passed each year by the Legislature. Passage of the Minimum School Program Act amends and revises codified statute each year. This allows the Legislature to change statutes governing public education in conjunction with appropriation decisions. It also brings relevant laws into review each Legislative Session.

Included in the Minimum School Program Act are other provisions that outline Legislative intent and one time funding appropriations. In addition, a final section of the act includes Legislative funding for participation in the School Building Program for construction of school facilities.

Statutory Authority

The Minimum School Program is governed by Title 53A, Chapter 17a of the Utah Code.

- UCA 53A-17a-101 et. seq. – Sections 101 through 152 provide detail on the Minimum School Program and its various subprograms. Section 102 states that “the purpose of this chapter is to provide a minimum school program for the state in accordance with the constitutional mandate.”¹²

Intent Language

The Legislature passed intent language during the 2007 General Session requiring the Public Education Appropriations Subcommittee to study the funding of foreign exchange students.

MSP Data Consensus

Two major data sets significantly impact the overall cost of the Minimum School Program. The first is the projected number of students that will enroll

¹⁰ Office of the Legislative Fiscal Analyst. Minimum School Program Compensation: A report to the Executive Appropriations Committee. July 2005.

¹¹ Office of the Legislative Fiscal Analyst. Minimum School Program Compensation: A report to the Executive Appropriations Committee. July 2005.

¹² UCA 53A-17a-102 – Minimum School Program. Purpose of Chapter.

in schools across the state. The second is the value of assessed property used to estimate local property tax revenues generated through the Basic Rate to support the Minimum School Program.

Each year the Office of the Legislative Fiscal Analyst meets with representatives from the Governor's Office of Planning and Budget and the State Board of Education to establish consensus estimates for student enrollments and assessed valuations. This 'Common Data Committee' also includes representatives from the Utah State Tax Commission (when reviewing assessed valuations), the Utah Education Association, and other interested individuals or organizations. Consensus estimates generated through the committee process ensures that each entity uses the same base data throughout the budgeting process.

Enrollment Projections The method utilized to project student enrollment has historically provided a relatively accurate basis for determining MPS appropriations. Representatives from the Legislative Fiscal Analyst's Office, the Governor's Office of Planning and Budget, and the State Office of Education develop independent enrollment projections each year. The offices use methodologies which may include historical trends, district reporting, birth statistics, mortality rates, and any number of other factors to try and estimate student enrollment numbers. Upon the completion of these independent estimates, the offices meet together as the Common Data Committee to reach agreement on a common projection for student enrollment in the coming school year.

Student Enrollments A total of 537,653 students enrolled in Utah's public schools for the 2007-08 school year. This was an increase of 2.6 percent over the prior school year, for a total student increase of over 13,650 students. Projections indicate that schools will enroll approximately 12,880 more students in fall 2008, an increase of 2.4 percent.

The table below provides a 10 year history of student fall enrollments. Since 1999 student enrollment increased by 61,679 students, or approximately 13 percent in 2007.

Public Education: Fall Enrollment

Fall 1999 to Projected Fall 2008

Year	Fall Enrollment	Percent Change
1999	475,974	
2000	475,269	-0.1%
2001	477,801	0.5%
2002	481,143	0.7%
2003	486,938	1.2%
2004	495,682	1.8%
2005	510,012	2.9%
2006	524,003	2.7%
2007	537,653	2.6%
2008	550,533	2.4%

Source: Utah State Office of Education. Finance and Statistics Section.

Based on Common Data Committee Estimates

All enrollments based on actual fall enrollment, 2008 is projected.

Prepared by: Office of the Legislative Fiscal Analyst (11/07BL).

Table 2-3

Enrollment projections through 2015 indicate that student enrollments will continue to increase each year. Predictions indicate total enrollment may exceed 652,600 students by 2015, an increase of more than 102,067 students over the projected fall 2008 enrollment. A total enrollment of 652,600 students represents an increase of 18.5 percent over fall 2008 projections.¹³

Funding Detail

Table 2-4 shows state appropriations to the Minimum School Program for the past five years. Table 2-5 shows program detail for the Minimum School Program.

¹³ Based on enrollment projections conducted by the Utah State Office of Education. Found online at: http://www.schools.utah.gov/finance/statistics/demographic_reports/files/projections_state.XLS. November 14, 2006.

Minimum School Program - 2007 General Session							
Comprehensive Summary of Appropriations Bills							
	A	B	C	D	E	F	G
Revenues	Fiscal Year 2007		FY 2008 Total (2007 General Session)				
	Basic Rate	Amount	Basic Rate	Amount	Difference	% Change	
Sources of Finance							
I. State Revenue							
A. Uniform School Fund		\$1,996,119,545		\$2,252,516,608	\$256,397,063	12.8%	
B. Uniform School Fund One-time		21,100,000		163,500,000	142,400,000	674.9%	
C. School LAND Trust		15,000,000		21,000,000	6,000,000	40.0%	
D. General Fund One-time		200,000		0	(200,000)	-100.0%	
Subtotal State Revenue:		\$2,032,419,545		\$2,437,016,608	\$404,597,063	19.9%	
II. Local Revenue							
A. Basic Levy	0.001515	\$232,483,090	0.001311	\$245,254,790	\$12,771,700	5.5%	
B. Voted Leeway		175,340,351		195,491,527	20,151,176	11.5%	
C. Board Leeway		47,981,239		52,402,304	4,421,065	9.2%	
D. Board Leeway - Reading Levy		15,000,000		15,000,000	0	0.0%	
Subtotal Local Revenue:		\$470,804,680		\$508,148,621	\$37,343,941	7.9%	
Total Revenue:		\$2,503,224,225		\$2,945,165,229	\$441,941,004	17.7%	
Expenditures	Fiscal Year 2007		FY 2008 Total (2007 General Session)				
	# of WPU's	Amount	# of WPU's	Amount	Difference	% Change	Bill
	WPU Value:	\$2,417	WPU Value:	\$2,514	\$97	4.0%	Number
Programs of Expenditure							
I. Basic School Program							
A. Regular Basic School Program							
1. Kindergarten	23,680	\$57,234,560	24,590	\$61,819,260	\$4,584,700	8.0%	HB 160
2. Grades 1-12	462,579	\$1,118,053,443	478,300	\$1,202,446,200	\$84,392,757	7.5%	HB 160
3. Necessarily Existing Small Schools	7,649	\$18,487,633	7,649	\$19,229,586	\$741,953	4.0%	HB 160
4. Professional Development	43,909	\$106,128,053	44,724	\$112,436,136	\$6,308,083	5.9%	HB 160
5. Administrative Costs	1,629	\$3,937,293	1,620	\$4,072,680	\$135,387	3.4%	HB 160
Subtotal Regular Program:	539,446	\$1,303,840,982	556,883	\$1,400,003,862	\$96,162,880	7.4%	
B. Restricted Basic School Program							
1. Special Education - Add-on WPUs	56,413	\$136,350,221	56,895	\$143,034,030	\$6,683,809	4.9%	HB 160
2. Special Education - Self-Contained WPUs	13,301	\$32,148,517	13,360	\$33,587,040	\$1,438,523	4.5%	HB 160
3. Special Education - Pre-school	8,158	\$19,717,886	8,321	\$20,918,994	\$1,201,108	6.1%	HB 160
4. Special Education - Extended Year Program	367	\$887,039	367	\$922,638	\$35,599	4.0%	HB 160
5. Special Education - State Programs	1,443	\$3,487,731	1,627	\$4,090,278	\$602,547	17.3%	HB 160
Subtotal Special Education:	79,682	\$192,591,394	80,570	\$202,552,980	\$9,961,586	5.2%	
6. Career and Technology Education - District Add-on	24,797	\$9,934,349	25,914	\$65,147,796	\$55,213,447	8.7%	HB 160
7. Career and Technology Education - District Set-Aside	1,060	\$2,562,020	1,091	\$2,742,774	\$180,754	7.1%	HB 160
Subtotal Career and Technology Education:	25,857	\$62,496,369	27,005	\$67,890,570	\$5,394,201	8.6%	
8. Class Size Reduction	30,773	\$74,378,341	32,749	\$82,330,986	\$7,952,645	10.7%	HB 160
Subtotal Restricted Program:	136,312	\$329,466,104	140,324	\$352,774,536	\$23,308,432	7.1%	
Total Basic School Program:	675,758	\$1,633,307,086	697,207	\$1,752,778,398	\$119,471,312	7.3%	
THE LINE							
II. Related to Basic Program							
A. Related to Basic Programs							
1. Social Security and Retirement		\$310,891,038		333,315,119	22,424,081	7.2%	HB 160
2. Pupil Transportation - To and From School		62,601,763		70,928,797	8,327,034	13.3%	HB 160
3. Pupil Transportation - Guarantee Transportation Levy		500,000		500,000	0	0.0%	HB 160
4. Public Education Job Enhancement Program		2,500,000		2,430,000	(70,000)	-2.8%	HB 160
5. FY 2008 Educator Compensation Increase				68,700,000	68,700,000		HB 382
6. Concurrent Enrollment				8,874,516	8,874,516		HB 79
Subtotal Related to Basic Programs:		\$376,492,801		\$484,748,432	\$108,255,631	28.8%	
B. Block Grant Programs							
1. Quality Teaching		\$62,993,704		73,947,829	10,954,125	17.4%	HB 160
2. Local Discretionary		21,820,748		21,820,748	0	0.0%	HB 160
3. Interventions for Student Success		16,792,888		17,953,612	1,160,724	6.9%	HB 160
Subtotal Block Grants:		\$101,607,340		\$113,722,189	\$12,114,849	11.9%	
C. Special Populations							
1. Highly Impacted Schools		\$5,123,207		5,123,207	0	0.0%	HB 160
2. Youth At-Risk Programs Total		27,992,056		29,926,867	1,934,811	6.9%	HB 160
3. Adult Education		9,148,653		9,781,008	632,355	6.9%	HB 160
4. Accelerated Learning Programs Total		4,310,853		4,316,527	(7,694,326)	-64.1%	HB 79
Subtotal Special Populations:		\$54,274,769		\$49,147,609	(\$5,127,160)	-9.4%	
D. Other Programs							
1. Charter Schools							
a. Local Replacement Funding		\$21,552,450		28,509,000	6,956,550	32.3%	HB 164
b. Ongoing Per Student Funding				3,512,488	3,512,488		HB 164
c. School Administration		100,000		0	(100,000)	-100.0%	HB 164
d. School Level Administration				750,000	750,000		HB 164
e. Appropriation for Student Growth in FY 2009				3,000,000	3,000,000		HB 164
2. Electronic High School		1,300,000		2,000,000	700,000	53.8%	HB 160
3. Reading Program		12,500,000		15,000,000	2,500,000	20.0%	HB 461
4. School LAND Trust Program		15,000,000		21,000,000	6,000,000	40.0%	HB 160
5. Library Books & Electronic Resources		1,500,000		1,500,000	1,500,000		HB 160
6. Matching Fund for School Nurses				1,000,000	1,000,000		HB 160
7. Critical Languages				230,000	230,000		SB 80
Subtotal Other Programs:		\$50,452,450		\$76,501,488	\$26,049,038	51.6%	
Total Related to Basic Program:		\$582,827,360		\$724,119,718	\$141,292,358	24.2%	
III. Voted and Board Leeway Programs							
A. Voted Leeway		\$196,085,303		227,700,777	31,615,474	16.1%	HB 3
B. Board Leeway							
1. Board Leeway		54,704,476		62,066,336	7,361,860	13.5%	HB 3
2. Reading Program		15,000,000		15,000,000	0	0.0%	HB 3
Total Voted and Board Leeway Programs:		\$265,789,779		\$304,767,113	\$38,977,334	14.7%	
IV. One Time Appropriations Total							
A. Teacher Supplies and Materials		\$7,000,000		10,000,000	3,000,000	42.9%	HB 160
B. Pupil Transportation		5,000,000		8,000,000	3,000,000	60.0%	HB 160
C. Library Books and Materials		2,000,000			(2,000,000)	-100.0%	
D. Charter Schools		7,100,000		4,750,000	(2,350,000)	-33.1%	HB 164
E. Charter Schools Administration		200,000		750,000	550,000	275.0%	HB 164
F. Charter Schools - Start Up/Revolving Loan Fund				6,000,000	6,000,000		HB 164
G. One Time Teacher Bonus				33,000,000	33,000,000		HB 382
H. Computers in the Schools				50,000,000	50,000,000		HB 160
I. Online Testing				10,000,000	10,000,000		HB 160
J. Optional Extended Day Kindergarten (4 Year Pilot)				30,000,000	30,000,000		SB 49
K. Charter School Student Growth in FY 2009				4,000,000	4,000,000		HB 164
L. One Time Bonus for Classified Personnel				7,000,000	7,000,000		HB 382
Total One Time Programs:		\$21,300,000		\$163,500,000	\$142,200,000	667.6%	
Total Minimum School Program Expenditures:		\$2,503,224,225		\$2,945,165,229	\$441,941,004	17.7%	

Office of the Legislative Fiscal Analyst (03/07BL).

11/20/2007 9:27

Table 2-4

CHAPTER 3 MSP – BASIC SCHOOL PROGRAM – REGULAR PROGRAMS**KINDERGARTEN****Function**

The kindergarten program provides revenues to school districts and charter schools to support educational services provided through half-day kindergarten programs. The state core curriculum for kindergarten identifies key concepts in kindergarten instruction, “in kindergarten, reading, writing, and mathematical skills should be emphasized as integral to the instruction in all other areas. [...] Kindergarten students engage in many activities that help them develop oral language and literacy. Students take part in language activities that extend their vocabulary, conceptual knowledge, and phonological awareness. Students learn to follow directions and develop the language of schooling.”¹⁴ In addition to the educational skills learned in kindergarten, students develop social skills associated with functioning in a school setting.

Formula

The state distributes kindergarten funds on a WPU basis. A kindergarten WPU equals 0.55 of a total WPU. The formula distributes funding to school districts and charter schools on per WPU basis, “which equals prior year Kindergarten ADM [Average Daily Membership] plus growth multiplied by 0.55. The weight of 0.55 reflects the fact that kindergarten in Utah normally is in session for approximately half of a normal school day.”¹⁵ Kindergarten ADM represents one student enrolled in a kindergarten program for at least 450 hours within a school year.

Statutory Authority

Two sections of Utah code apply specifically to kindergarten programs offered in the school districts and charter schools.

- UCA 53A-3-402.7 – requires each school district to offer kindergarten classes for children residing in the school district and provides that these students receive funding allocated through the MSP.
- UCA 53A-17a-106 – establishes the 0.55 weighting used in the formula for computing kindergarten WPUs

The State Board of Education has passed administrative rules that define kindergarten programs. The governing rule may be found in Administrative Rules R277-419-1.

Funding Detail

The following table details the final distribution of Kindergarten funds in FY 2007 and the estimated distribution in FY 2008 among the districts and charter schools. In FY 2007, a total of \$57.2 million supported Kindergarten programs in the districts and charter schools. This amount increased in FY 2008 to \$61.8 million. Kindergarten Weighted Pupil Units increased by 910 in FY 2008.

¹⁴ Utah State Office of Education, Elementary Core Curriculum, May 2003.

¹⁵ Utah State Office of Education, Finance and Statistics Section, Minimum School Program Descriptions. November 2006.

School Districts & Charter Schools	Kindergarten				
	FY 2007		FY 2008		Change in WPUs
	WPU Value = \$2,417		WPU Value = \$2,514		
	WPUs	Allocation	WPUs	Allocation	
Alpine	2,688	6,497,573	2,823	7,096,253	5.0%
Beaver	72	173,311	72	180,266	0.0%
Box Elder	446	1,078,896	449	1,128,927	0.6%
Cache	629	1,519,348	635	1,596,126	1.0%
Carbon	145	350,148	150	377,311	3.6%
Daggett	7	15,952	6	15,961	-3.8%
Davis	2,841	6,865,518	2,889	7,262,446	1.7%
Duchesne	168	405,089	170	426,382	1.2%
Emery	87	211,374	87	218,537	-0.6%
Garfield	33	79,725	33	83,668	0.9%
Grand	60	145,914	62	155,868	2.7%
Granite	3,027	7,317,443	3,046	7,656,653	0.6%
Iron	392	946,328	402	1,011,867	2.8%
Jordan	3,483	8,419,344	3,501	8,801,019	0.5%
Juab	92	221,373	95	237,855	3.3%
Kane	48	115,085	48	121,130	1.2%
Millard	118	285,914	116	291,737	-1.9%
Morgan	79	192,127	81	204,635	2.4%
Nebo	1,258	3,041,645	1,279	3,214,333	1.6%
North Sanpete	99	239,858	101	254,226	1.9%
North Summit	41	100,168	41	104,085	-0.1%
Park City	158	381,132	157	393,652	-0.7%
Piute	15	35,583	15	37,381	1.0%
Rich	19	45,797	19	47,635	0.0%
San Juan	100	241,611	99	249,042	-0.9%
Sevier	193	467,561	195	490,703	0.9%
South Sanpete	117	282,804	119	298,565	1.5%
South Summit	57	137,655	57	143,180	0.0%
Tintic	15	35,310	14	36,073	-1.8%
Tooele	617	1,491,770	651	1,635,427	5.4%
Uintah	289	697,319	301	757,217	4.4%
Wasatch	217	524,984	232	582,640	6.7%
Washington	1,152	2,784,889	1,227	3,084,937	6.5%
Wayne	25	60,041	26	64,449	3.2%
Weber	1,220	2,947,870	1,253	3,148,961	2.7%
Salt Lake	1,170	2,828,649	1,170	2,942,169	0.0%
Ogden	604	1,459,153	601	1,511,641	-0.4%
Provo	615	1,486,163	638	1,603,002	3.7%
Logan	279	675,426	284	714,476	1.7%
Murray	263	636,606	272	684,050	3.3%
Charter Schools	1,018	2,460,209	1,179	2,964,513	15.8%
Other					
Unallocated	(276)	(668,105)	(4)	(9,738)	
State Total	23,680	57,234,560	24,590	61,819,260	3.8%

Notes:

The FY 2008 distribution figures are estimates based on information available at the beginning of the fiscal year. These distributions may change prior to the end of the fiscal year. The 2009 COBI will reflect the 2008 actual MSP distributions.

Source: Utah State Office of Education, Finance and Statistics Section. Minimum School Program Distributions.

FY 2007 Final and FY 2008 Summer Update.

Prepared by: Office of the Legislative Fiscal Analyst (11/07BL).

Table 3-1

GRADES 1 THROUGH 12

Function	The Grades 1 through 12 Program is the largest single program within the Minimum School Program. Funding supports educational services provided by school districts and charter schools in the first through twelfth grade. Educational services include educator compensation, textbooks, supplies, materials, support personnel, and many other functions, people and programs that support the basic education programs in these grades.
Formula	<p>Funding distributed through the program accounts for approximately 69 percent of the Regular Basic School Program and 41 percent of the total MSP. School districts and charter schools receive funds on a WPU basis. Each WPU “equals prior year Grades 1-12 ADM plus growth.”¹⁶ WPUs allocated for the Grades 1-12 Program more closely reflects a 1 WPU to 1 student (ADM) match than any other MSP program.</p> <p>The formula governing revenue distribution treats Grade 1 slightly different than Grades 2-12. “To count as one full (1.0) ADM, a student in Grade 1 must be enrolled for at least 810 hours of instruction during the school year; student in Grades 2 through 12 must be similarly enrolled for 990 hours.”¹⁷ Students enrolled less than the hours indicated are allocated prorated ADMs by the formula. A third grade student enrolled for 495 hours generates half of an ADM student.</p>
Statutory Authority	<p>Statute provides two sections that reference educational services provided in grades 1 through 12.</p> <ul style="list-style-type: none"> ➤ UCA 53A-1-603 – requires the State Board of Education to develop assessment methods for students in grades 1 through 12. ➤ UCA 53A-17a-106 – establishes the mechanism used in determining WPUs for grades 1 through 12. <p>Through Administrative Rules, the State Board of Education has established instructional hour and WPU accounting guidelines for the Grades 1 through 12 Program. Please refer to Administrative Rule R277-413-3 more detail.</p>
Funding Detail	The following table details the final distribution of Grades 1-12 program funds in FY 2007 and the estimated distribution in FY 2008 among the districts and charter schools. In FY 2007, a total of \$1.1 billion supported general education program in grades 1-12 in the school districts and charter schools. This amount increased in FY 2008 to \$1.2 billion. Program Weighted Pupil Units increased by 15,546 in FY 2008.

¹⁶ Utah State Office of Education, Finance and Statistics Section, Minimum School Program Descriptions. November 2006.

¹⁷ Ibid.

School Districts & Charter Schools	Grades 1-12				
	FY 2007		FY 2008		Change in WPUs
	WPU Value = \$2,417		WPU Value = \$2,514		
	WPUs	Allocation	WPUs	Allocation	
Alpine	49,425	119,461,035	51,897	130,468,057	5.0%
Beaver	1,409	3,406,476	1,409	3,543,186	0.0%
Box Elder	9,542	23,062,746	9,599	24,132,238	0.6%
Cache	12,277	29,672,897	12,400	31,172,378	1.0%
Carbon	3,098	7,488,076	3,210	8,068,980	3.6%
Daggett	143	344,652	137	344,860	-3.8%
Davis	55,349	133,778,656	56,290	141,513,022	1.7%
Duchesne	3,406	8,231,188	3,446	8,663,878	1.2%
Emery	2,113	5,107,631	2,101	5,280,737	-0.6%
Garfield	853	2,061,416	861	2,163,395	0.9%
Grand	1,321	3,193,522	1,357	3,411,370	2.7%
Granite	59,568	143,976,545	59,925	150,650,799	0.6%
Iron	7,639	18,463,122	7,853	19,741,806	2.8%
Jordan	69,980	169,140,720	70,330	176,808,386	0.5%
Juab	1,854	4,481,468	1,915	4,815,145	3.3%
Kane	1,086	2,625,084	1,090	2,741,039	0.4%
Millard	2,631	6,358,296	2,581	6,487,814	-1.9%
Morgan	1,910	4,617,430	1,956	4,918,005	2.4%
Nebo	22,729	54,934,826	23,092	58,053,723	1.6%
North Sanpete	2,064	4,987,603	2,103	5,286,334	1.9%
North Summit	892	2,156,607	891	2,240,914	-0.1%
Park City	3,919	9,472,034	3,891	9,783,206	-0.7%
Piute	272	657,078	275	690,284	1.0%
Rich	400	965,625	400	1,004,378	0.0%
San Juan	2,662	6,433,220	2,638	6,631,110	-0.9%
Sevier	3,948	9,541,340	3,983	10,013,574	0.9%
South Sanpete	2,426	5,864,050	2,463	6,190,881	1.5%
South Summit	1,235	2,985,643	1,235	3,105,464	0.0%
Tintic	243	586,299	238	598,983	-1.8%
Tooele	11,014	26,619,668	11,608	29,183,130	5.4%
Uintah	5,011	12,111,058	5,231	13,151,375	4.4%
Wasatch	3,938	9,517,472	4,202	10,562,692	6.7%
Washington	21,664	52,362,797	23,073	58,004,416	6.5%
Wayne	487	1,177,321	503	1,263,755	3.2%
Weber	25,775	62,298,994	26,471	66,548,780	2.7%
Salt Lake	20,350	49,185,428	20,350	51,159,357	0.0%
Ogden	10,663	25,772,846	10,621	26,699,942	-0.4%
Provo	11,481	27,750,121	11,906	29,931,759	3.7%
Logan	5,151	12,449,223	5,238	13,168,971	1.7%
Murray	5,757	13,915,124	5,948	14,952,126	3.3%
Charter Schools	17,205	41,585,069	21,135	53,132,942	22.8%
Other					
Unallocated	(309)	(746,963)	2,276	5,723,059	
State Total	462,579	1,118,053,443	478,125	1,202,006,250	3.4%

Notes:

The FY 2008 distribution figures are estimates based on information available at the beginning of the fiscal year. These distributions may change prior to the end of the fiscal year. The 2009 COBI will reflect the 2008 actual MSP distributions.

Source: Utah State Office of Education, Finance and Statistics Section. Minimum School Program Distributions.

FY 2007 Final and FY 2008 Summer Update.

Prepared by: Office of the Legislative Fiscal Analyst (11/07BL).

Table 3-2

PROFESSIONAL STAFF**Function**

The Professional Staff Program provides additional revenue to school districts to support in “recruiting and retaining highly educated and experienced educators for instructional, administrative and other types of professional employment in public schools.”¹⁸ The program provides extra weighted pupil units for professional staff experience and training to offset the higher cost associated with these educators. School districts and charter schools may use program revenues in a variety of ways, which may include signing and retention bonuses.

Formula

By providing additional revenue for staff training and experience, the state recognizes the cost differential associated with more experienced educators. The program formula distributes revenue on a WPU basis to qualifying school districts and charter schools. Program WPUs are calculated as follows “(1) multiply the number of FTE licensed staff in each applicable experience category by the applicable weight, which is given in statute. (2) Divide the product from #1 by the number of licensed staff included in #1 and reduce the quotient by 1.00. (3) Multiply the result from #2 by one-fourth of the total WPUs generated by Kindergarten, Grades 1-12, and Necessarily Existent Small Schools programs.”¹⁹ The following table provides the statutory weightings.

Professional Staff Cost Formula

Statutory Weighting Schedule for Determining Program WPUs

Years of Experience	Bachelor's Degree	Bachelor's Degree + 30 Qt. Hr.	Master's Degree	Master's Degree +45 Qt. Hr.	Doctorate
1	1.00	1.05	1.10	1.15	1.20
2	1.05	1.10	1.15	1.20	1.25
3	1.10	1.15	1.20	1.25	1.30
4	1.15	1.20	1.25	1.30	1.35
5	1.20	1.25	1.30	1.35	1.40
6	1.25	1.30	1.35	1.40	1.45
7	1.30	1.35	1.40	1.45	1.50
8	1.35	1.40	1.45	1.50	1.55
9			1.50	1.55	1.60
10				1.60	1.65
11					1.70

Source: UCA 53a-17a-107

Prepared by: Office of the Legislative Fiscal Analyst (11/06BL).

Table 3-3

¹⁸ Utah State Office of Education, Finance and Statistics Section, Minimum School Program Descriptions. November 2006.

¹⁹ Utah State Office of Education, Finance and Statistics Section, Minimum School Program Descriptions. November 2006.

Statutory Authority

The Professional Staff Program is governed by one statute within the Utah Code.

- UCA 53A-17a-107 – details how program WPU's are computed and distributed. This statute also provides the weighting schedule mentioned above and other regulations governing the program.

Administrative Rule R277-486 was passed by the State Board of Education. The rule provides administrative procedures associated with the governance of the Professional Staff Program.

Funding Detail

The following table details the final distribution of Professional Staff program funds in FY 2007 and the estimated distribution in FY 2008 among the school districts and charter schools. In FY 2007, a total of \$106.1 million supported professional staff in the districts and charter schools. This amount increased in FY 2008 to \$112.4 million. The total number of program WPU's increased by 815 in FY 2008.

School Districts & Charter Schools	Professional Staff				
	FY 2007		FY 2008		Change in WPUs
	WPU Value = \$2,417		WPU Value = \$2,514		
	WPUs	Allocation	WPUs	Allocation	
Alpine	4,117	9,951,461	4,268	10,730,016	3.7%
Beaver	148	356,793	143	360,643	-2.8%
Box Elder	931	2,251,107	935	2,351,090	0.4%
Cache	1,097	2,651,935	1,160	2,916,396	5.7%
Carbon	345	833,208	321	807,967	-6.8%
Daggett	34	81,680	30	76,453	-10.0%
Davis	5,587	13,504,386	5,681	14,282,444	1.7%
Duchesne	390	943,140	389	978,874	-0.2%
Emery	267	644,611	266	669,244	-0.2%
Garfield	151	364,776	155	390,889	3.0%
Grand	149	359,364	156	392,807	5.1%
Granite	5,944	14,367,767	6,045	15,197,515	1.7%
Iron	719	1,736,617	730	1,834,679	1.6%
Jordan	6,393	15,451,086	6,128	15,405,581	-4.1%
Juab	162	390,471	165	414,345	2.0%
Kane	152	367,643	143	360,583	-5.7%
Millard	304	734,101	298	749,479	-1.8%
Morgan	169	408,869	173	435,425	2.4%
Nebo	1,944	4,697,575	1,950	4,901,445	0.3%
North Sanpete	195	472,096	203	510,772	4.0%
North Summit	113	272,853	112	280,371	-1.2%
Park City	396	955,926	397	997,331	0.3%
Piute	47	113,014	48	121,680	3.5%
Rich	64	154,316	68	171,910	7.1%
San Juan	345	833,036	351	881,959	1.8%
Sevier	484	1,168,755	488	1,226,063	0.9%
South Sanpete	294	709,443	298	749,544	1.6%
South Summit	131	316,516	130	327,637	-0.5%
Tintic	47	114,496	49	123,354	3.6%
Tooele	950	2,295,222	974	2,449,217	2.6%
Uintah	515	1,244,160	554	1,391,708	7.5%
Wasatch	366	883,759	390	980,789	6.7%
Washington	1,998	4,829,369	2,103	5,286,756	5.2%
Wayne	71	172,786	73	182,695	1.7%
Weber	2,408	5,820,300	2,502	6,289,762	3.9%
Salt Lake	2,260	5,462,961	2,303	5,788,862	1.9%
Ogden	1,071	2,587,860	1,055	2,651,888	-1.5%
Provo	980	2,368,849	1,029	2,585,850	4.9%
Logan	505	1,220,824	508	1,277,278	0.6%
Murray	608	1,470,029	603	1,516,709	-0.8%
Charter Schools	641	1,548,472	869	2,184,938	35.7%
Other	0	0	0	0	
Unallocated	421	1,016,421	479	1,203,188	
State Total	43,909	106,128,053	44,724	112,436,136	1.9%

Notes:

The FY 2008 distribution figures are estimates based on information available at the beginning of the fiscal year. These distributions may change prior to the end of the fiscal year. The 2009 COBI will reflect the 2008 actual MSP distributions.

Source: Utah State Office of Education, Finance and Statistics Section. Minimum School Program Distributions.

FY 2007 Final and FY 2008 Summer Update.

Prepared by: Office of the Legislative Fiscal Analyst (11/07BL).

Table 3-4

ADMINISTRATIVE COSTS**Function**

Program funding assists school districts and charter schools with administrative expenses. The Administrative Cost Program provides additional revenue to school districts and charter schools (especially those with low enrollment). Districts and charter schools may use the funds to support administrative functions, conduct audits, and prepare reports.

Formula

School districts and charter schools receive program revenues on a WPU basis. The formula contains a weighting mechanism which allocates more WPUs to districts with lower total student enrollment. The formula treats all charter schools as if they belonged to one school district.

Program funding does not cover all administrative costs. School districts and charter schools may use additional revenue sources, including state, local and federal revenues to support administrative functions.

School districts qualify for program WPUs based on their total student enrollment. Statute provides an Administrative Cost Schedule that assigns WPUs based on district enrollment established through the October 1 enrollment count. The Administrative Cost Schedule provides the following enrollment benchmarks.

- | | |
|----------------------------|---------|
| ➤ 1 – 2,000 Students | 53 WPUs |
| ➤ 2,001 – 10,000 Students | 48 WPUs |
| ➤ 10,001 – 20,000 Students | 25 WPUs |
| ➤ 20,001 and above | 16 WPUs |

The formula treats charter schools as if they belonged to one school district. The total number of students enrolled in charter schools is used to determine the number of WPUs allocated for charter schools based on the above schedule. Charter schools currently receive 25 WPUs. Revenue generated through the program is divided among all charter schools.

Charter Schools

Questions associated with the treatment of charter schools under this program surfaced during the 2005 and 2006 General Sessions. As the enrollment in charter schools increases (primarily through the approval of more charter schools) the amount of MSP revenue to support administration decreases. However, the total number of local administrative entities increases – thus increasing the total cost of administration in charter schools as a whole.

The Administrative Cost Schedule was developed for situations commonly found in school districts. As enrollment increases, school districts (as one administrative entity) can better cover administrative expenses because they receive more revenue as a result of higher enrollments that can offset some administrative expenses. Due to the nature of charter schools, these ‘economies of scale’ are not reached.

In FY 2008, the Legislature created a charter specific administrative cost program. This program provides charter schools a per-student amount to

cover administrative costs. The program is detailed in chapter 8. With the creation of this program, charter schools no longer receive a distribution under this Administrative Costs program.

Statutory Authority

The Administrative Cost Program is governed by the following statute.

- UCA 53A-17a-108 – details the calculation of administrative cost WPU's for distribution to school districts. This statute also provides the enrollment thresholds for the Administrative Cost Schedule.

Funding Detail

The following table details the final distribution of the Administrative Costs program funding in FY 2007 and the estimated distribution in FY 2008 among school districts and charter schools. In FY 2007, a total of \$3.9 million supported district and charter school administrative costs. This amount increased in FY 2008 to just over \$4 million. The total number of program WPU's decreased by 9 in FY 2008.

School Districts & Charter Schools	Administrative Costs				
	FY 2007		FY 2008		Change in WPUs
	WPU Value = \$2,417		WPU Value = \$2,514		
	WPUs	Allocation	WPUs	Allocation	
Alpine	16	38,672	16	40,224	0.0%
Beaver	53	128,101	53	133,242	0.0%
Box Elder	25	60,425	25	62,850	0.0%
Cache	25	60,425	25	62,850	0.0%
Carbon	48	116,016	48	120,672	0.0%
Daggett	53	128,101	53	133,242	0.0%
Davis	16	38,672	16	40,224	0.0%
Duchesne	48	116,016	48	120,672	0.0%
Emery	48	116,016	48	120,672	0.0%
Garfield	53	128,101	53	133,242	0.0%
Grand	53	128,101	53	133,242	0.0%
Granite	16	38,672	16	40,224	0.0%
Iron	48	116,016	48	120,672	0.0%
Jordan	16	38,672	16	40,224	0.0%
Juab	48	116,016	48	120,672	0.0%
Kane	53	128,101	53	133,242	0.0%
Millard	48	116,016	48	120,672	0.0%
Morgan	48	116,016	48	120,672	0.0%
Nebo	16	38,672	16	40,224	0.0%
North Sanpete	48	116,016	48	120,672	0.0%
North Summit	53	128,101	53	133,242	0.0%
Park City	48	116,016	48	120,672	0.0%
Piute	53	128,101	53	133,242	0.0%
Rich	53	128,101	53	133,242	0.0%
San Juan	48	116,016	48	120,672	0.0%
Sevier	48	116,016	48	120,672	0.0%
South Sanpete	48	116,016	48	120,672	0.0%
South Summit	53	128,101	53	133,242	0.0%
Tintic	53	128,101	53	133,242	0.0%
Tooele	25	60,425	25	62,850	0.0%
Uintah	48	116,016	48	120,672	0.0%
Wasatch	48	116,016	48	120,672	0.0%
Washington	16	38,672	16	40,224	0.0%
Wayne	53	128,101	53	133,242	0.0%
Weber	16	38,672	16	40,224	0.0%
Salt Lake	16	38,672	16	40,224	0.0%
Ogden	25	60,425	25	62,850	0.0%
Provo	25	60,425	25	62,850	0.0%
Logan	48	116,016	48	120,672	0.0%
Murray	48	116,016	48	120,672	0.0%
Charter Schools	25	60,425	0	0	-100.0%
Other	0	0	0	0	
Unallocated	0	0	16	40,224	
State Total	1,629	3,937,293	1,620	4,072,680	-0.6%

Notes:

The FY 2008 distribution figures are estimates based on information available at the beginning of the fiscal year. These distributions may change prior to the end of the fiscal year. The 2009 COBI will reflect the 2008 actual MSP distributions.

Source: Utah State Office of Education, Finance and Statistics Section. Minimum School Program Distributions.

FY 2007 Final and FY 2008 Summer Update.

Prepared by: Office of the Legislative Fiscal Analyst (11/07BL).

Table 3-5

NECESSARILY EXISTENT SMALL SCHOOLS

Function The program assists school districts in operating schools in remote areas with few students to attend the school. Schools in remote areas and with only a few students per grade or class are expensive to operate. Schools meet necessarily existent standards if “one-way bus travel over Board approved bus routes from the school to the nearest school within the district of the same type requires: students in kindergarten through grade six to travel more than 45 minutes; students in grades seven through twelve to travel more than one hour and 15 minutes.”²⁰ In addition to the distance requirement, schools must not exceed a maximum enrollment threshold based on the ADM of the school.

School Size Limits A necessarily existent school does not exceed the following ADM thresholds.

- 160 ADM for elementary schools (including kindergarten)
- 300 ADM for one or two-year secondary schools
- 450 ADM for three-year secondary schools
- 550 ADM for four-year secondary schools
- 600 ADM for six-year secondary schools

Application Required In order for a school to qualify for necessarily existent status, the school district must apply to the State Board of Education on behalf of the school. “Upon application by each school district, the State Board of Education shall, in conjunction with local school boards, classify particular schools in each district as necessarily existent small schools.”²¹ Charter schools are not necessarily existent small schools and do not qualify for program funding.

Formula Funding is allocated to a school district with qualifying schools on a WPU basis. Program WPUs are determined by “a regression formula based on prior year ADM and school grade span.”²² The following table provides the school size and WPU allocations based on the regression formula and size of school.

Necessarily Existent Small Schools
School Type, Maximum ADM & WPUs Per School

School Type	Maximum ADM	Maximum WPUs Per School
Elementary	160	54.8
1 or 2 Year Secondary	300	119.1
3 Year Secondary	450	134.0
4 Year Secondary	550	140.7
6 Year Secondary	600	150.4

Source: Utah State Office of Education, Finance and Statistics.

Prepared by: Office of the Legislative Fiscal Analyst (11/06BL).

Table 3-6

²⁰ Utah State Board of Education, Board Rule – R277-445-3.

²¹ UCA 53A-17a-109 – Necessarily existent small schools.

²² Utah State Office of Education, Finance and Statistics Section, Minimum School Program Descriptions. November 2006.

Statutory Authority

The Necessarily Existent Small Schools Program is governed by the following statute.

- UCA 53A-17a-109 – establishes application, qualification, and WPU regulations for the governance of the Necessarily Existent Small Schools Program. Statute provides a mechanism that prevents financial penalties to a school district resulting from school consolidation efforts.

The State Board of Education has passed administrative rules to further govern the Necessarily Existent Small Schools Program. The governing rule may be found in Administrative Rules R277-445.

Funding Detail

The following table details the final distribution of Necessarily Existent Small Schools funding in FY 2007 and the estimated distribution in FY 2008 among school districts. In FY 2007, a total of \$18.4 million provided additional support to small schools in many districts. This amount increased in FY 2008 to \$19.2 million. The total number of program WPUs remained the same in FY 2008.

School Districts & Charter Schools	Necessarily Existent Small Schools				
	FY 2007		FY 2008		Change in WPUs
	WPU Value = \$2,417		WPU Value = \$2,514		
	WPUs	Allocation	WPUs	Allocation	
Alpine	0	0	0	0	0.0%
Beaver	256	618,324	247	621,644	-3.3%
Box Elder	244	590,282	229	575,005	-6.3%
Cache	0	0	0	0	0.0%
Carbon	273	660,489	134	335,946	-51.1%
Daggett	210	508,339	206	517,964	-2.0%
Davis	0	0	0	0	0.0%
Duchesne	448	1,083,809	440	1,106,344	-1.9%
Emery	412	994,970	422	1,061,951	2.6%
Garfield	670	1,619,059	661	1,661,839	-1.3%
Grand	104	250,718	98	246,422	-5.5%
Granite	0	0	0	0	0.0%
Iron	131	316,325	133	334,586	1.7%
Jordan	0	0	0	0	0.0%
Juab	0	0	0	0	0.0%
Kane	615	1,487,526	569	1,430,474	-7.5%
Millard	319	770,199	315	790,945	-1.3%
Morgan	0	0	0	0	0.0%
Nebo	0	0	0	0	0.0%
North Sanpete	31	74,354	29	72,325	-6.5%
North Summit	218	527,114	217	545,435	-0.5%
Park City	0	0	0	0	0.0%
Piute	245	591,599	242	609,482	-1.0%
Rich	342	825,681	341	858,091	-0.1%
San Juan	754	1,821,543	771	1,939,435	2.4%
Sevier	462	1,116,838	511	1,284,792	10.6%
South Sanpete	225	543,001	231	581,735	3.0%
South Summit	163	393,304	156	391,779	-4.2%
Tintic	307	740,931	305	766,710	-0.5%
Tooele	388	937,760	394	989,465	1.4%
Uintah	116	280,597	116	292,509	0.2%
Wasatch	0	0	0	0	0.0%
Washington	152	368,334	153	384,549	0.4%
Wayne	310	748,182	307	771,743	-0.8%
Weber	58	140,396	75	188,496	29.1%
Salt Lake	0	0	0	0	0.0%
Ogden	0	0	0	0	0.0%
Provo	0	0	0	0	0.0%
Logan	0	0	0	0	0.0%
Murray	0	0	0	0	0.0%
Charter Schools	0	0	0	0	0.0%
Other	0	0	0	0	
Unallocated	198	477,959	346	869,920	
State Total	7,649	18,487,633	7,649	19,229,586	0.0%

Notes:

The FY 2008 distribution figures are estimates based on information available at the beginning of the fiscal year. These distributions may change prior to the end of the fiscal year. The 2009 COBI will reflect the 2008 actual MSP distributions.

Source: Utah State Office of Education, Finance and Statistics Section. Minimum School Program Distributions.

FY 2007 Final and FY 2008 Summer Update.

Prepared by: Office of the Legislative Fiscal Analyst (11/07BL).

Table 3-7

CHAPTER 4 MSP – BASIC SCHOOL PROGRAM – RESTRICTED PROGRAMS**SPECIAL EDUCATION – REGULAR PROGRAM – ADD-ON WPUS****Function**

The Special Education Add-On WPU program is the largest of five programs serving special education students enrolled in Utah's public schools. The Add-On WPU program serves more than 50,000 students. These students range in age from 5 through 21 (the maximum age that students may remain in the public education system). Special education students must receive a free, appropriate education consistent with state and federal mandates.

An Individual Education Plan (IEP) governs the educational services provided to each special education student. An IEP committee comprised of parents, teachers, support personnel and administrators determines the educational needs of each student and the required services to meet these needs. These services can range from a 15 minute per-week session to one-on-one instruction for six hours each day. A student's IEP may require other related services, such as physical therapy and occupational therapy, in order for the student to benefit from special education.

Cost estimates indicate that it is 1.5 to 6.2 times more expensive to educate a special education student (depending on severity of need) as to educate a traditional student. Special services such as prescriptive speech therapy, physical therapy, occupational therapy, psychological and behavioral management, and adaptive physical education may significantly increase the costs associated with providing educational services.

Formula

The allocation of special education dollars to school districts and charter schools is accomplished on a WPU basis. Formula determines revenue allocation by using the prior year base WPU count for each district and charter schools and increases by growth WPUs only. The formula determines special education Add-On WPUs based on the "average of Special Education ADM over the previous 5 years (which establishes the 'foundation' below which the current year WPU can never fall) or prior year Special Education ADM plus weighted growth in Special Education ADM."²³

Growth WPUs are determined each year "by multiplying Special Education ADM from two years prior by the percentage difference between Special Education ADM two years prior and Special Education ADM for the year prior to that."²⁴ The increase is multiplied by 1.53 weighted pupil units for each new student and added to the foundation allocation to determine each district's or charter school's total WPU allocation. "This weight is intended to account for the additional cost of educating a special education student"²⁵ but may not account for all of the costs associated with educating a special education student.

Formula Restrictions

The Add-On WPU formula contains two restrictions on increasing the number of WPUs allocated to a school district or charter school. First, "the Special

²³ Utah State Office of Education, Finance and Statistics Section, Minimum School Program Descriptions. November 2006.

²⁴ Ibid.

²⁵ Ibid.

Education ADM values used in calculating the difference cannot exceed the ‘prevalence’ limit of 12.8% of total district ADM.”²⁶ Second, “if this measure of growth in Special Education exceeds current year growth in Fall Enrollment, growth in Special Education is set equal to growth in Fall Enrollment.”²⁷

Statutory Authority

Both State and federal law provide statutory mandates for special education. The State Board of Education is required to provide proper education and training for all students with disabilities in this State. The Individuals with Disabilities Education Act (IDEA), Part B, requires that a free and appropriate public education be provided all eligible students with disabilities and provides federal financial assistance to carry out the mandate. Utah's Special Education Legislation, passed in 1953 and amended in 1959, predated the federal law (IDEA) which was signed in 1975.

The special education Add-On WPU program is governed by the following statutes.

- UCA 53A-17a-111 – provides the statutory provisions governing the special education Add-On formula used in determining the number of WPUs for district and charter school allocation.
- UCA 53A-15-301 et. seq. – details student qualification for special education services, establishes guidelines for the State Board of Education in providing special education services, requires the State Board of Education to appoint a special education director, as well as other governing definitions and requirements associated with providing special education services.

Administrative Rule R277-750 was passed by the State Board of Education. The rule provides administrative procedures associated with the governance of the Add-On special education program.

Funding Detail

The following table details the final distribution of Regular Program Add-On for Special Education funding in FY 2007 and the estimated distribution in FY 2008 among school districts and charter schools. In FY 2007, a total of \$136.3 million provided support to special education students in the school districts and charter schools. This amount increased in FY 2008 to just over \$143 million. The total number of program WPUs increased by 482 in FY 2008.

²⁶ Utah State Office of Education, Finance and Statistics Section, Minimum School Program Descriptions. November 2006.

²⁷ Ibid.

School Districts & Charter Schools	Special Education - Regular Program - Add-On WPUs				
	FY 2007		FY 2008		Change in WPUs
	WPU Value = \$2,417		WPU Value = \$2,514		
	WPUs	Allocation	WPUs	Allocation	
Alpine	5,189	12,540,933	5,464	13,737,464	5.3%
Beaver	197	476,412	198	498,928	0.7%
Box Elder	1,285	3,105,545	1,255	3,154,914	-2.3%
Cache	1,460	3,529,439	1,468	3,689,871	0.5%
Carbon	627	1,515,022	622	1,564,163	-0.7%
Daggett	17	41,053	20	51,090	19.6%
Davis	5,865	14,175,993	6,153	15,468,129	4.9%
Duchesne	612	1,479,458	620	1,558,449	1.3%
Emery	366	883,887	359	903,180	-1.8%
Garfield	146	353,025	148	370,951	1.0%
Grand	186	450,628	199	500,872	6.9%
Granite	8,002	19,341,141	7,615	19,143,668	-4.8%
Iron	1,033	2,496,921	1,124	2,825,113	8.8%
Jordan	8,329	20,131,208	8,507	21,387,752	2.1%
Juab	231	557,317	241	604,816	4.3%
Kane	200	482,276	201	505,759	0.8%
Millard	360	869,559	397	997,052	10.2%
Morgan	135	327,209	143	359,019	5.5%
Nebo	2,995	7,239,350	2,980	7,491,481	-0.5%
North Sanpete	313	756,623	311	782,186	-0.6%
North Summit	113	273,517	113	284,494	0.0%
Park City	418	1,009,472	412	1,034,654	-1.5%
Piute	39	93,144	39	96,882	0.0%
Rich	56	135,995	50	126,826	-10.3%
San Juan	325	785,784	325	817,319	0.0%
Sevier	497	1,200,725	480	1,205,825	-3.4%
South Sanpete	432	1,043,006	407	1,024,111	-5.6%
South Summit	137	331,641	122	306,464	-11.2%
Tintic	39	93,158	43	107,335	10.8%
Tooele	1,300	3,141,892	1,402	3,523,713	7.8%
Uintah	827	1,998,605	819	2,058,234	-1.0%
Wasatch	504	1,217,830	528	1,326,600	4.7%
Washington	2,257	5,455,582	2,490	6,260,395	10.3%
Wayne	58	141,022	57	143,841	-1.9%
Weber	3,869	9,350,962	3,918	9,849,246	1.3%
Salt Lake	3,212	7,763,834	3,204	8,054,419	-0.3%
Ogden	1,510	3,650,207	1,510	3,796,698	0.0%
Provo	1,493	3,607,583	1,493	3,752,364	0.0%
Logan	619	1,495,760	619	1,555,789	0.0%
Murray	554	1,338,936	554	1,392,671	0.0%
Charter Schools	1,846	4,460,838	2,055	5,166,826	11.4%
Other	0	0	0	0	
Unallocated	(1,238)	(2,992,271)	(1,768)	(4,445,533)	
State Total	56,413	136,350,221	56,895	143,034,030	0.9%

Notes:

The FY 2008 distribution figures are estimates based on information available at the beginning of the fiscal year. These distributions may change prior to the end of the fiscal year. The 2009 COBI will reflect the 2008 actual MSP distributions.

Source: Utah State Office of Education, Finance and Statistics Section. Minimum School Program Distributions.

FY 2007 Final and FY 2008 Summer Update.

Prepared by: Office of the Legislative Fiscal Analyst (11/07BL).

Table 4-1

SPECIAL EDUCATION – PRESCHOOL

Function	The Special Education – Preschool Program provides educational services to children with disabilities who are three to five years of age. Since 1992, Federal law (Public Law 99-457) requires that children with disabilities three to five years receive an appropriate free public education.
<i>Formula</i>	Program WPU's equal "special education preschool enrollment (aged 3 through 5 excluding 5-year-old special education students enrolled in Kindergarten) as of December 1." ²⁸ The program formula provides a weighting factor of 1.47 of the value of the WPU for each student enrolled in the preschool program. Growth is defined as the actual increase in the number of children, age three through preschool aged five, reported on December 1st child counts.
<i>Formula Restrictions</i>	<p>The formula excludes children served by the Utah Schools for the Deaf and the Blind. Student growth in the preschool program cannot exceed 8 percent annually. This 8 percent growth cap is used in the formula for budget requests and fund distribution. If this growth is not realized, the budget request is reduced to equal the actual growth realized.</p> <p>The formula is: "A factor of 1.47 times the current December 1st child count of eligible preschool aged 3,4 and 5 year olds times the WPU value"; (with a limit of 8 percent growth over the prior year December 1st count)</p>
Statutory Authority	<p>The Special Education Preschool Program is governed by the following statutes.</p> <ul style="list-style-type: none"> ➤ UCA 53A-17a-112 – establishes requirement for the allocation of program funds, determining WPU's and provides for the formula restrictions mentioned above.
Funding Detail	The following table details the final distribution of Preschool Special Education funding in FY 2007 and the estimated distribution in FY 2008 among school districts and charter schools. In FY 2007, a total of \$19.7 million provided support to special education preschool students in the school districts and charter schools. This amount increased in FY 2008 to \$20.9 million. The total number of program WPU's increased by 163 in FY 2008.

²⁸ Ibid.

School Districts & Charter Schools	Special Education - Preschool Program				
	FY 2007		FY 2008		Change in WPUs
	WPU Value = \$2,417		WPU Value = \$2,514		
	WPUs	Allocation	WPUs	Allocation	
Alpine	832	2,010,350	907	2,280,625	9.1%
Beaver	16	38,562	11	28,306	-29.4%
Box Elder	236	570,713	261	655,073	10.4%
Cache	413	997,463	386	970,479	-6.5%
Carbon	84	203,092	94	235,825	11.6%
Daggett	3	7,712	3	8,087	0.8%
Davis	745	1,799,546	783	1,969,263	5.2%
Duchesne	136	329,060	116	291,144	-14.9%
Emery	77	185,096	82	206,227	7.1%
Garfield	13	30,849	13	32,350	0.8%
Grand	57	138,822	40	101,092	-30.0%
Granite	958	2,316,273	907	2,280,625	-5.3%
Iron	193	465,311	214	537,160	11.0%
Jordan	852	2,059,195	947	2,380,099	11.1%
Juab	53	128,539	48	121,309	-9.3%
Kane	52	125,968	42	105,135	-19.8%
Millard	76	182,525	79	198,139	4.4%
Morgan	13	30,849	14	34,937	8.9%
Nebo	515	1,244,258	572	1,436,792	11.0%
North Sanpete	47	113,114	32	80,874	-31.3%
North Summit	34	82,265	32	80,874	-5.5%
Park City	40	97,690	43	109,179	7.4%
Piute	13	30,849	13	32,350	0.8%
Rich	14	33,420	11	28,306	-18.6%
San Juan	44	105,402	49	122,281	11.5%
Sevier	139	336,772	135	339,668	-3.0%
South Sanpete	84	203,092	85	214,314	1.5%
South Summit	23	56,557	26	65,507	11.4%
Tintic	7	17,995	8	20,218	8.0%
Tooele	279	673,544	259	651,029	-7.1%
Uintah	189	457,599	183	460,977	-3.1%
Wasatch	110	264,790	113	283,057	2.8%
Washington	352	850,928	364	913,868	3.3%
Wayne	3	7,712	3	8,734	8.9%
Weber	469	1,133,714	455	1,144,356	-3.0%
Salt Lake	336	812,367	299	752,121	-11.0%
Ogden	208	503,873	231	580,833	10.8%
Provo	240	580,996	268	672,541	11.3%
Logan	130	313,635	122	307,318	-5.8%
Murray	67	161,959	68	169,835	0.8%
Charter Schools	6	15,430	3	8,087	-49.6%
Other	0	0	0	0	
Unallocated	0	0	0	0	
State Total	8,158	19,717,886	8,321	20,918,994	2.0%

Notes:

The FY 2008 distribution figures are estimates based on information available at the beginning of the fiscal year. These distributions may change prior to the end of the fiscal year. The 2009 COBI will reflect the 2008 actual MSP distributions.

Source: Utah State Office of Education, Finance and Statistics Section. Minimum School Program Distributions.

FY 2007 Final and FY 2008 Summer Update.

Prepared by: Office of the Legislative Fiscal Analyst (11/07BL).

Table 4-2

SPECIAL EDUCATION – REGULAR PROGRAM – SELF-CONTAINED WPUS

Function	The special education Self-Contained WPU Program compensates “for the higher cost of `providing more extensive educational services to students who are in a self contained setting,” ²⁹ rather than a partially matriculated special education setting. ‘Self Contained’ means that a student is enrolled in a special education class for 180 minutes or more each school day. Self-contained students do not generate a regular WPU.
<i>Formula</i>	The Self-Contained WPUs are the standard full WPU for every student (ADM) that qualifies as a Self-Contained Special Education student. The Add-on (detailed above) provides additional resources to fund programs for Self-Contained students and for other students that do not qualify as a Self-Contained special education student. Costs are formula driven as they represent charges for actual services provided. Program WPUs “equal Self-Contained ADM from two years prior.” ³⁰
Statutory Authority	Please refer to the statutory provisions and State Board of Education rules identified in the Add-On WPU section above.
Funding Detail	The following table details the final distribution of the Self-Contained Special Education program funding in FY 2007 and the estimated distribution in FY 2008 among school districts and charter schools. In FY 2007, a total of \$32.1 million provided support to special education self-contained students in the school districts and charter schools. This amount increased in FY 2008 to roughly \$33.6 million. The total number of program WPUs increased by 59 in FY 2008.

²⁹ Ibid.

³⁰ Utah State Office of Education, Finance and Statistics Section, Minimum School Program Descriptions. November 2006.

School Districts & Charter Schools	Special Education - Self-Contained Regular WPUs				
	FY 2007		FY 2008		Change in WPUs
	WPU Value = \$2,417		WPU Value = \$2,514		
	WPUs	Allocation	WPUs	Allocation	
Alpine	1,189	2,874,497	1,272	3,198,326	7.0%
Beaver	18	43,076	16	40,224	-10.2%
Box Elder	164	397,113	198	497,898	20.5%
Cache	186	448,931	190	476,989	2.2%
Carbon	158	382,920	153	385,047	-3.3%
Daggett	0	0	0	0	0.0%
Davis	1,381	3,337,850	1,481	3,724,295	7.3%
Duchesne	189	458,007	203	509,937	7.0%
Emery	21	49,858	26	64,499	24.4%
Garfield	28	68,522	20	49,232	-30.9%
Grand	36	86,152	52	130,127	45.2%
Granite	2,090	5,052,697	1,953	4,911,084	-6.6%
Iron	142	342,462	110	275,436	-22.7%
Jordan	2,367	5,720,005	2,399	6,030,387	1.4%
Juab	50	120,260	54	136,090	8.8%
Kane	18	43,332	26	66,551	47.7%
Millard	82	197,307	78	194,850	-5.1%
Morgan	25	60,440	34	85,964	36.7%
Nebo	592	1,430,098	643	1,616,208	8.7%
North Sanpete	37	90,449	37	93,506	-0.6%
North Summit	13	31,436	10	25,112	-23.2%
Park City	65	158,234	85	212,488	29.1%
Piute	6	15,442	3	7,710	-52.0%
Rich	5	11,466	5	12,570	5.4%
San Juan	37	89,564	40	100,030	7.4%
Sevier	89	215,717	69	173,984	-22.5%
South Sanpete	50	120,098	41	102,528	-17.9%
South Summit	14	34,725	14	34,065	-5.7%
Tintic	1	2,417	2	5,028	100.0%
Tooele	280	677,364	333	836,101	18.7%
Uintah	161	388,586	158	397,365	-1.7%
Wasatch	75	180,927	92	230,086	22.3%
Washington	370	895,324	406	1,020,837	9.6%
Wayne	6	14,502	4	8,952	-40.7%
Weber	889	2,149,264	874	2,197,291	-1.7%
Salt Lake	1,034	2,498,695	984	2,473,693	-4.8%
Ogden	434	1,048,026	409	1,029,134	-5.6%
Provo	445	1,076,452	515	1,294,192	15.6%
Logan	93	224,150	99	248,132	6.4%
Murray	138	333,466	139	349,124	0.7%
Charter Schools	153	370,322	174	437,002	13.5%
Other	0	0	0	0	
Unallocated	169	408,364	(38)	(95,034)	
State Total	13,301	32,148,517	13,360	33,587,040	0.4%

Notes:

The FY 2008 distribution figures are estimates based on information available at the beginning of the fiscal year. These distributions may change prior to the end of the fiscal year. The 2009 COBI will reflect the 2008 actual MSP distributions.

Source: Utah State Office of Education, Finance and Statistics Section. Minimum School Program Distributions.

FY 2007 Final and FY 2008 Summer Update.

Prepared by: Office of the Legislative Fiscal Analyst (11/07BL).

Table 4-3

SPECIAL EDUCATION – EXTENDED YEAR PROGRAM FOR THE SEVERELY DISABLED

Function	Extended School Year Program provides “a longer school year for those students with disabilities whose regression over school breaks is so severe that an inordinate amount of time is necessary to recoup previous learning.” ³¹ The program is restricted to severely disabled students, because of the severity of their disability will not maintain skills gained in the regular school year unless they receive education during the summer months. Without this program many of these students would spend much of the next year regaining the skills they had learned during the previous school year.
<i>Formula</i>	Program is funded on a WPU basis. WPUs are “derived from aggregate hours of extended year educational service.” ³²
Statutory Authority	<p>The Extended Year Program is governed by the following statute.</p> <ul style="list-style-type: none">➤ UCA 53A-17a-112 – provides statutory limitations for the use of monies appropriated to support the Extended Year Program and students qualified to receive Extended Year services. <p>Administrative Rule R277-751 was passed by the State Board of Education. The rule provides administrative procedures associated with the governance of the Extended Year Program for the Severely Disabled Program.</p>
Funding Detail	The following table details the final distribution of Extended Year program funding in FY 2007 and the estimated distribution in FY 2008 among school districts and charter schools. In FY 2007, a total of just over \$887,000 provided support for extended year programs in the school districts and charter schools. This amount increased in FY 2008 to roughly \$922,600. The total number of program WPUs remained flat in FY 2008.

³¹ Ibid.

³² Utah State Office of Education, Finance and Statistics Section, Minimum School Program Descriptions. November 2006.

School Districts & Charter Schools	Special Education - Extended Year Program				
	FY 2007		FY 2008		Change in WPUs
	WPU Value = \$2,417		WPU Value = \$2,514		
	WPUs	Allocation	WPUs	Allocation	
Alpine	38	91,336	38	95,610	0.6%
Beaver	2	3,780	2	3,949	0.4%
Box Elder	8	18,613	8	19,123	-1.2%
Cache	10	23,187	10	24,103	-0.1%
Carbon	3	6,804	3	7,149	1.0%
Daggett	1	1,528	1	1,606	1.1%
Davis	43	104,670	43	107,364	-1.4%
Duchesne	3	7,790	3	7,956	-1.8%
Emery	2	5,084	2	5,202	-1.6%
Garfield	1	2,807	1	2,911	-0.3%
Grand	2	3,708	2	3,892	0.9%
Granite	48	116,183	47	118,714	-1.8%
Iron	6	14,721	6	15,617	2.0%
Jordan	55	132,985	55	138,469	0.1%
Juab	2	4,524	2	4,789	1.8%
Kane	1	3,222	1	3,409	1.7%
Millard	3	6,091	2	6,158	-2.8%
Morgan	2	4,584	2	4,809	0.8%
Nebo	17	41,652	18	44,271	2.2%
North Sanpete	2	5,298	2	5,483	-0.5%
North Summit	1	2,876	1	2,983	-0.3%
Park City	4	8,828	4	9,127	-0.6%
Piute	1	1,766	1	1,871	1.8%
Rich	1	1,952	1	2,080	2.4%
San Juan	3	6,520	3	6,628	-2.3%
Sevier	3	8,438	4	8,859	0.9%
South Sanpete	2	5,784	2	6,166	2.5%
South Summit	1	3,623	2	3,771	0.1%
Tintic	1	1,720	1	1,788	-0.1%
Tooele	9	20,588	9	22,189	3.6%
Uintah	4	10,313	4	10,947	2.0%
Wasatch	3	8,296	3	8,645	0.2%
Washington	17	40,208	17	43,043	2.9%
Wayne	1	2,229	1	2,353	1.5%
Weber	20	49,166	20	49,748	-2.7%
Salt Lake	19	45,324	19	46,936	-0.4%
Ogden	10	23,178	10	24,357	1.0%
Provo	10	24,314	10	24,718	-2.3%
Logan	4	10,778	4	11,255	0.4%
Murray	5	12,571	5	12,567	-3.9%
Charter Schools	0	0	1	2,023	0.0%
Other	0	0	0	0	
Unallocated	0	0	0	0	
State Total	367	887,039	367	922,638	0.0%

Notes:

The FY 2008 distribution figures are estimates based on information available at the beginning of the fiscal year. These distributions may change prior to the end of the fiscal year. The 2009 COBI will reflect the 2008 actual MSP distributions.

Source: Utah State Office of Education, Finance and Statistics Section. Minimum School Program Distributions.

FY 2007 Final and FY 2008 Summer Update.

Prepared by: Office of the Legislative Fiscal Analyst (11/07BL).

Table 4-4

SPECIAL EDUCATION – STATE PROGRAMS

Function	State Programs provide funding for special education programs in state institutions as well as for district impact aid. Impact aid is provided to districts and charter schools “to support districts in serving special education students whose extensive needs cost the district more than \$15,000 per student.” ³³
Statutory Authority	Please refer to the statutory provisions and State Board of Education rules identified in the previous Special Education sections.
Funding Detail	The following table details the final distribution of Special Education State Programs funding in FY 2007 and the estimated distribution in FY 2008 among school districts and charter schools. In FY 2007, a total of nearly \$3.5 million supported Special Education State Programs. This amount increased in FY 2008 to just over \$4 million. The total number of program WPUs increased by 184 in FY 2008.

³³ Ibid.

School Districts & Charter Schools	Special Education - State Programs Impact Aid				
	FY 2007		FY 2008		Change in WPUs
	WPU Value = \$2,417		WPU Value = \$2,514		
	WPUs	Allocation	WPUs	Allocation	
Alpine	78	187,321	96	240,455	23.4%
Beaver	18	44,059	19	46,956	2.5%
Box Elder	28	67,743	32	79,481	12.8%
Cache	31	74,079	37	92,194	19.7%
Carbon	22	53,200	24	59,759	8.0%
Daggett	16	38,041	16	39,890	0.8%
Davis	93	225,169	108	271,729	16.0%
Duchesne	22	52,772	24	60,790	10.7%
Emery	19	46,302	20	50,248	4.3%
Garfield	18	42,390	18	45,590	3.4%
Grand	19	45,510	19	47,869	1.1%
Granite	107	258,272	125	314,070	16.9%
Iron	27	65,551	32	80,951	18.7%
Jordan	208	503,766	234	588,161	12.2%
Juab	18	43,841	19	47,968	5.2%
Kane	18	43,281	18	46,337	2.9%
Millard	21	50,777	23	57,036	8.0%
Morgan	18	43,397	19	47,708	5.7%
Nebo	49	119,082	67	169,274	36.7%
North Sanpete	19	45,126	20	50,032	6.6%
North Summit	17	40,421	18	44,462	5.8%
Park City	21	51,023	23	57,731	8.8%
Piute	16	38,736	16	40,723	1.1%
Rich	16	38,522	17	42,676	6.5%
San Juan	21	50,658	21	52,781	0.2%
Sevier	25	59,942	23	58,051	-6.9%
South Sanpete	91	219,652	93	232,943	2.0%
South Summit	17	40,687	18	45,924	8.5%
Tintic	16	38,495	16	40,324	0.7%
Tooele	33	78,775	39	98,718	20.5%
Uintah	23	56,141	26	64,376	10.2%
Wasatch	21	51,382	23	57,927	8.4%
Washington	41	99,718	51	129,106	24.5%
Wayne	16	38,896	16	41,410	2.4%
Weber	62	149,442	73	183,439	18.0%
Salt Lake	49	118,434	61	153,641	24.7%
Ogden	32	78,018	36	91,404	12.6%
Provo	34	83,247	40	99,986	15.5%
Logan	22	53,948	24	60,718	8.2%
Murray	21	51,915	23	57,440	6.4%
Charter Schools	0	0	0	0	0.0%
Other	0	0	0	0	
Unallocated	0	0	0	0	
State Total	1,443	3,487,731	1,627	4,090,278	12.8%

Notes:

The FY 2008 distribution figures are estimates based on information available at the beginning of the fiscal year. These distributions may change prior to the end of the fiscal year. The 2009 COBI will reflect the 2008 actual MSP distributions.

Source: Utah State Office of Education, Finance and Statistics Section. Minimum School Program Distributions.

FY 2007 Final and FY 2008 Summer Update.

Prepared by: Office of the Legislative Fiscal Analyst (11/07BL).

Table 4-5

CAREER AND TECHNOLOGY EDUCATION – DISTRICT ADD-ON

Function The Career and Technology Education Program, formerly known as Applied Technology Education, uses collaborative partnerships between education, business, and industry to develop quality educational programs to ensure a skilled and educated workforce. Currently, Career and Technology Education (CTE) is provided in both the public and higher education systems. Nine of the ten Utah System of Higher Education (USHE) institutions (excluding the University of Utah), the nine campuses of the Utah College of Applied Technology (UCAT) and 40 school districts provide some Career and Technical Education programs. Public school students receive CTE services from the school district or on UCAT campuses.

CTE programs in higher education, including UCAT focus on job preparation and offer short-term, competency-based training programs tailored for business and industry ending in certificates or associate degrees. Public Education programs concentrate on offering exploratory and basic skill training, although in some instances advanced training is provided.

Formula CTE District Add-On funds compensate school districts and charter schools offering CTE courses “for the higher cost of state approved CTE courses provided either directly by districts or through external providers [UCAT Institutions] on contract to districts.”³⁴ Funds are distributed to school districts based on four criteria.

1. 84.4 percent is distributed through general allocation.
2. 12 percent is distributed based on competency measures.
3. 2.2 percent supports summer agriculture programs.
4. The remaining (approximately 1.4 percent) supports Student Leadership Organizations.

School districts receive CTE Add-On funding proportionally based on “prior year CTE ADM plus growth. Growth is added only if CTE ADM has grown in each of the two prior years up to a maximum of 10 percent; if CTE ADM declines, the district is held harmless (growth is set equal to 0%).”³⁵

Statutory Authority The Career and Technology Education Add-On program is governed by the following statute.

- UCA 53A-17a-113 – establishes the method for calculating WPUs for CTE programs as well as qualifying criteria and performance measures.

³⁴ Ibid.

³⁵ Utah State Office of Education, Finance and Statistics Section, Minimum School Program Descriptions. November 2006.

Funding Detail

The following table details the final distribution of CTE Add-On funding in FY 2007 and the estimated distribution in FY 2008 among school districts and charter schools. In FY 2007, a total of \$59.9 million supported CTE Add-On programs. This amount increased in FY 2008 to just over \$65.1 million. The total number of program WPU's increased by 1,117 in FY 2008.

School Districts & Charter Schools	Career & Technology Education - District Add-On Program				
	FY 2007		FY 2008		Change in WPUs
	WPU Value = \$2,417		WPU Value = \$2,514		
	WPUs	Allocation	WPUs	Allocation	
Alpine	2,546	6,154,004	2,591	6,513,454	1.8%
Beaver	136	327,524	135	340,238	-0.1%
Box Elder	546	1,319,023	571	1,436,322	4.7%
Cache	699	1,689,919	734	1,845,887	5.0%
Carbon	198	477,426	208	522,991	5.3%
Daggett	48	116,128	49	124,309	2.9%
Davis	2,852	6,892,908	2,891	7,268,972	1.4%
Duchesne	269	651,064	273	686,829	1.4%
Emery	157	378,319	159	400,251	1.7%
Garfield	154	371,811	158	396,388	2.5%
Grand	95	230,512	96	241,906	0.9%
Granite	2,908	7,029,586	3,043	7,648,986	4.6%
Iron	345	834,056	364	914,465	5.4%
Jordan	3,511	8,486,729	3,644	9,162,134	3.8%
Juab	114	275,982	112	281,597	-1.9%
Kane	147	355,217	152	381,355	3.2%
Millard	252	608,637	266	668,105	5.5%
Morgan	140	339,059	147	369,481	4.8%
Nebo	1,155	2,791,931	1,216	3,056,492	5.3%
North Sanpete	156	376,051	156	392,363	0.3%
North Summit	110	266,255	112	282,129	1.9%
Park City	175	422,401	184	462,125	5.2%
Piute	55	133,889	54	135,897	-2.4%
Rich	54	131,627	51	128,887	-5.9%
San Juan	278	671,684	282	708,232	1.4%
Sevier	293	708,884	313	787,436	6.8%
South Sanpete	179	432,245	179	450,706	0.2%
South Summit	83	201,789	84	210,286	0.2%
Tintic	53	127,340	54	135,308	2.2%
Tooele	629	1,520,749	633	1,590,879	0.6%
Uintah	275	664,063	283	711,425	3.0%
Wasatch	290	700,820	303	760,978	4.4%
Washington	1,052	2,542,802	1,107	2,782,746	5.2%
Wayne	91	220,920	91	227,535	-1.0%
Weber	1,740	4,205,604	1,808	4,546,327	3.9%
Salt Lake	987	2,385,241	1,042	2,620,246	5.6%
Ogden	574	1,386,461	565	1,420,196	-1.5%
Provo	769	1,859,856	803	2,018,552	4.3%
Logan	191	460,845	200	502,634	4.9%
Murray	417	1,008,454	397	999,011	-4.8%
Charter Schools	73	176,534	80	201,669	9.8%
Other	0	0	0	0	
Unallocated	0	0	323	812,067	
State Total	24,797	59,934,349	25,914	65,147,796	4.5%

Notes:

The FY 2008 distribution figures are estimates based on information available at the beginning of the fiscal year. These distributions may change prior to the end of the fiscal year. The 2009 COBI will reflect the 2008 actual MSP distributions.

Source: Utah State Office of Education, Finance and Statistics Section. Minimum School Program Distributions.

FY 2007 Final and FY 2008 Summer Update.

Prepared by: Office of the Legislative Fiscal Analyst (11/07BL).

Table 4-6

CAREER AND TECHNOLOGY EDUCATION – SET-ASIDE

Function	The CTE Set-Aside provides funding to “continue high priority CTE programs or to purchase equipment needed to initiate new CTE programs.” ³⁶
Formula	Each school district is guaranteed a base level of funding. School districts use these funds to start new programs, purchase equipment, or provide for program administration. Each school district receives under the program a base allocation of \$10,000. The remaining allocation is divided among school districts in two ways, 50 percent proportionately based on prior year CTE ADM and 50 percent through an RFP process.
Statutory Authority	<p>The following statute governs the Career and Technology Education Set-Aside program.</p> <p>➤ UCA 53A-17a-116 – details the distribution formula for CTE Set-Aside funds discussed in the <i>formula</i> section above.</p> <p>Administrative Rule R277-911 was passed by the State Board of Education. The rule provides administrative procedures associated with the governance of the CTE Set-Aside Program.</p>
Funding Detail	The following table details the final distribution of CTE Set-Aside funding in FY 2007 and the estimated distribution in FY 2008 among school districts and charter schools. In FY 2007, more than \$2.5 million supported CTE Set-Aside programs. This amount increased in FY 2008 to just over \$2.7 million. The total number of program WPUs increased by 31 in FY 2008.

³⁶ Ibid.

School Districts & Charter Schools	Career & Technology Education - District Set-Aside Program				
	FY 2007		FY 2008		Change in WPUs
	WPU Value = \$2,417		WPU Value = \$2,514		
	WPUs	Allocation	WPUs	Allocation	
Alpine	60	144,788	65	162,401	7.8%
Beaver	6	14,145	7	18,111	23.1%
Box Elder	49	118,023	17	42,665	-65.2%
Cache	28	66,627	21	51,850	-25.2%
Carbon	9	22,813	9	21,823	-8.0%
Daggett	5	12,410	5	12,876	-0.2%
Davis	71	171,370	72	180,700	1.4%
Duchesne	8	19,522	10	26,123	28.6%
Emery	23	56,136	8	19,369	-66.8%
Garfield	6	14,048	8	19,208	31.5%
Grand	41	98,864	6	15,709	-84.7%
Granite	103	248,680	73	184,084	-28.8%
Iron	11	27,685	12	30,655	6.5%
Jordan	90	218,170	88	220,169	-3.0%
Juab	14	34,238	7	16,835	-52.7%
Kane	74	179,325	7	18,797	-89.9%
Millard	8	19,771	10	25,073	21.9%
Morgan	7	16,352	7	18,397	8.2%
Nebo	40	95,746	31	79,141	-20.5%
North Sanpete	15	36,796	8	19,313	-49.5%
North Summit	14	33,239	7	16,594	-52.0%
Park City	8	19,764	8	20,461	-0.5%
Piute	12	30,092	5	13,316	-57.5%
Rich	9	22,057	5	13,260	-42.2%
San Juan	27	65,973	11	26,634	-61.2%
Sevier	22	53,790	11	27,555	-50.7%
South Sanpete	15	36,809	8	20,704	-45.9%
South Summit	6	14,138	6	14,997	2.0%
Tintic	7	16,664	5	13,154	-24.1%
Tooele	43	104,099	19	47,661	-56.0%
Uintah	11	26,167	11	26,445	-2.8%
Wasatch	9	22,715	11	27,355	15.8%
Washington	29	68,993	29	72,971	1.7%
Wayne	5	11,913	6	15,471	24.9%
Weber	41	99,431	45	114,150	10.4%
Salt Lake	49	117,877	27	69,069	-43.7%
Ogden	17	40,339	18	44,335	5.7%
Provo	26	63,463	22	56,058	-15.1%
Logan	9	22,434	9	21,413	-8.2%
Murray	18	43,554	14	34,974	-22.8%
Charter Schools	14	33,000	5	12,898	-62.4%
Other	0	0	0	0	
Unallocated	0	0	338	850,000	
State Total	1,060	2,562,020	1,091	2,742,774	2.9%

Notes:

The FY 2008 distribution figures are estimates based on information available at the beginning of the fiscal year. These distributions may change prior to the end of the fiscal year. The 2009 COBI will reflect the 2008 actual MSP distributions.

Source: Utah State Office of Education, Finance and Statistics Section. Minimum School Program Distributions.

FY 2007 Final and FY 2008 Summer Update.

Prepared by: Office of the Legislative Fiscal Analyst (11/07BL).

Table 4-7

CLASS SIZE REDUCTION

Function	The Legislature began appropriating funding for class size reduction in 1994 with an original appropriation of \$4,389,500. Over the past 13 years, the annual allocation for class size reduction program has increased to more than \$74,300,000 in FY 2007. Funding is targeted for class size reduction efforts in Kindergarten through the 8 th grade.
<i>Formula</i>	The Class Size Reduction formula distributes revenue on a WPU basis to school districts and charter schools based on their prior year K-8 ADM plus student growth in grades K-8.
<i>Formula Restrictions</i>	<p>School districts and charter schools must use 50 percent of their allocation on reducing class size in grades K-2. If the average K-2 class size for the district or charter school falls below 18, the school district or charter school “can seek State Board of Education for approval to use these funds for class size reduction in grades 3-8.”³⁷</p> <p>Up to 20 percent of class size reduction funds may support capital facility projects that help reduce class size. School districts and charter schools with increasing enrollment may use a higher percentage of class size reduction funds on capital projects. School districts and charter schools that experience student enrollment increases of “5% or 700 students in enrollment from the previous year may use up to 50% of the allocation for classroom construction.”³⁸</p>
Statutory Authority	<p>The Class Size Reduction Program is governed by the following statute.</p> <ul style="list-style-type: none"> ➤ UCA 53A-17a-124.5 – defines the funding formula and formula restrictions for the program and provides for an annual adjustment in the level of funding allocated to support the program.
Funding Detail	The following table details the final distribution of Class Size Reduction funding in FY 2007 and the estimated distribution in FY 2008 among school districts and charter schools. In FY 2007, nearly \$74.4 million helped to maintain class size reduction efforts in the school districts and charter schools. This amount increased in FY 2008 to just over \$82.3 million. The total number of program WPUs increased by 1,976 in FY 2008.

³⁷ Utah State Office of Education, Finance and Statistics Section, Minimum School Program Descriptions. November 2006.

³⁸ Ibid.

School Districts & Charter Schools	Class Size Reduction - Grades K-8				
	FY 2007		FY 2008		Change in WPUs
	WPU Value = \$2,417		WPU Value = \$2,514		
	WPUs	Allocation	WPUs	Allocation	
Alpine	3,330	8,049,145	3,622	9,104,639	8.7%
Beaver	91	221,136	96	241,337	4.9%
Box Elder	613	1,481,843	640	1,609,240	4.4%
Cache	805	1,946,117	841	2,115,521	4.5%
Carbon	196	473,956	211	531,011	7.7%
Daggett	9	21,931	9	23,580	3.4%
Davis	3,647	8,815,162	3,842	9,658,323	5.3%
Duchesne	223	539,262	234	588,522	4.9%
Emery	128	308,338	132	331,531	3.4%
Garfield	54	129,558	56	140,835	4.5%
Grand	84	204,031	90	225,521	6.3%
Granite	3,951	9,548,521	4,141	10,410,493	4.8%
Iron	512	1,237,786	495	1,245,520	-3.3%
Jordan	4,587	11,087,864	4,766	11,981,501	3.9%
Juab	123	296,489	131	329,311	6.8%
Kane	67	161,707	70	176,826	5.1%
Millard	158	381,753	163	410,468	3.4%
Morgan	118	285,317	125	314,141	5.9%
Nebo	1,552	3,750,548	1,638	4,117,350	5.5%
North Sanpete	130	313,516	137	345,526	6.0%
North Summit	56	134,813	58	144,954	3.4%
Park City	241	582,881	249	626,725	3.4%
Piute	17	41,203	19	46,518	8.5%
Rich	23	55,679	24	59,867	3.4%
San Juan	156	376,401	162	406,333	3.8%
Sevier	254	614,422	266	667,906	4.5%
South Sanpete	147	354,916	156	391,153	6.0%
South Summit	79	190,024	81	204,318	3.4%
Tintic	15	35,101	16	39,175	7.3%
Tooele	773	1,869,199	843	2,118,329	9.0%
Uintah	354	855,640	383	962,321	8.1%
Wasatch	264	638,910	292	732,996	10.3%
Washington	1,444	3,489,757	1,593	4,003,657	10.3%
Wayne	30	73,703	33	81,862	6.8%
Weber	1,670	4,037,588	1,777	4,467,193	6.4%
Salt Lake	1,433	3,464,450	1,482	3,725,045	3.4%
Ogden	745	1,799,542	770	1,934,904	3.4%
Provo	769	1,857,736	829	2,083,366	7.8%
Logan	336	812,737	356	894,843	5.9%
Murray	353	852,954	384	964,802	8.7%
Charter Schools	1,236	2,986,705	1,541	3,873,523	24.7%
Other	0	0	0	0	
Unallocated	0	0	0	0	
State Total	30,773	74,378,341	32,749	82,330,986	6.4%

Notes:

The FY 2008 distribution figures are estimates based on information available at the beginning of the fiscal year. These distributions may change prior to the end of the fiscal year. The 2009 COBI will reflect the 2008 actual MSP distributions.

Source: Utah State Office of Education, Finance and Statistics Section. Minimum School Program Distributions.

FY 2007 Final and FY 2008 Summer Update.

Prepared by: Office of the Legislative Fiscal Analyst (11/07BL).

Table 4-8

BASIC SCHOOL PROGRAM SUMMARY**Funding Detail**

The following table details the final distribution of Basic School Program funding in FY 2007 and the estimated distribution in FY 2008 among school districts and charter schools. This table totals all of the WPU driven (above-the-line) programs within the Minimum School Program.

In FY 2007, the Legislature appropriated over \$1.6 billion to support the Minimum School Program – Basic Program. Basic School Program funding increased in FY 2008 to more than \$1.75 billion. The total number of WPUs allocated by the Legislature increased by 21,449 in FY 2008, for a total of 697,207.

School Districts & Charter Schools	Basic School Program Total				
	FY 2007		FY 2008		Change in WPUs
	WPU Value = \$2,417		WPU Value = \$2,514		
	WPUs	Allocation	WPUs	Allocation	
Alpine	69,512	168,010,365	73,062	183,677,580	5.1%
Beaver	2,421	5,851,140	2,409	6,057,030	-0.5%
Box Elder	14,120	34,127,572	14,218	35,744,826	0.7%
Cache	17,661	42,687,367	17,906	45,014,644	1.4%
Carbon	5,208	12,586,573	5,186	13,038,644	-0.4%
Daggett	545	1,317,527	537	1,349,918	-1.5%
Davis	78,501	189,736,400	80,253	201,756,967	2.2%
Duchesne	5,924	14,319,177	5,978	15,028,414	0.9%
Emery	3,721	8,993,372	3,713	9,334,162	-0.2%
Garfield	2,179	5,266,462	2,184	5,490,498	0.2%
Grand	2,209	5,339,346	2,230	5,606,697	1.0%
Granite	86,701	209,557,443	86,936	218,556,915	0.3%
Iron	11,200	27,071,401	11,523	28,968,527	2.9%
Jordan	99,888	241,428,372	100,655	253,046,956	0.8%
Juab	2,761	6,672,143	2,836	7,130,732	2.7%
Kane	2,530	6,115,858	2,423	6,090,637	-4.3%
Millard	4,378	10,581,696	4,375	10,997,528	-0.1%
Morgan	2,665	6,442,316	2,750	6,913,193	3.2%
Nebo	32,869	79,443,675	33,501	84,220,734	1.9%
North Sanpete	3,157	7,629,525	3,188	8,013,612	1.0%
North Summit	1,676	4,049,998	1,665	4,185,649	-0.6%
Park City	5,493	13,277,151	5,501	13,829,865	0.1%
Piute	790	1,910,496	783	1,967,336	-1.0%
Rich	1,055	2,550,238	1,046	2,629,728	-0.9%
San Juan	4,800	11,601,412	4,807	12,085,082	0.1%
Sevier	6,460	15,614,450	6,525	16,405,088	1.0%
South Sanpete	4,110	9,933,916	4,130	10,384,022	0.5%
South Summit	2,000	4,834,653	1,984	4,986,634	-0.8%
Tintic	802	1,938,527	804	2,020,692	0.2%
Tooele	16,341	39,495,305	17,187	43,208,708	5.2%
Uintah	7,825	18,913,722	8,117	20,405,571	3.7%
Wasatch	5,845	14,128,151	6,235	15,674,437	6.7%
Washington	30,543	73,821,337	32,628	82,027,505	6.8%
Wayne	1,158	2,797,828	1,172	2,946,042	1.2%
Weber	38,242	92,430,778	39,287	98,767,973	2.7%
Salt Lake	30,921	74,736,057	30,957	77,825,782	0.1%
Ogden	15,895	38,418,553	15,851	39,848,182	-0.3%
Provo	16,892	40,827,955	17,576	44,185,238	4.0%
Logan	7,389	17,858,276	7,511	18,883,499	1.7%
Murray	8,252	19,944,584	8,454	21,253,981	2.5%
Charter Schools	22,196	53,647,905	27,044	67,989,449	21.8%
Other	84	202,804	0	0	
Unallocated	(1,160)	(2,804,740)	2,080	5,229,721	
State Total	675,758	1,633,307,086	697,207	1,752,778,398	3.2%

Notes:

The FY 2008 distribution figures are estimates based on information available at the beginning of the fiscal year. These distributions may change prior to the end of the fiscal year. The 2009 COBI will reflect the 2008 actual MSP distributions.

Source: Utah State Office of Education, Finance and Statistics Section. Minimum School Program Distributions.

FY 2007 Final and FY 2008 Summer Update.

Prepared by: Office of the Legislative Fiscal Analyst (11/07BL).

Table 4-9

CHAPTER 5 MSP – RELATED TO BASIC PROGRAMS**SOCIAL SECURITY AND RETIREMENT**

Function	The Social Security and Retirement Program compensates school districts and charter schools for Social Security and Retirement costs associated with the Basic School Program (WPU driven programs). The amount of revenue required to support Social Security and Retirement costs in the Basic School Program is determined by formula based on the number of WPUs adopted by the Legislature.
<i>Formula</i>	Revenue appropriated to school districts and charter schools for Social Security and Retirement is distributed proportionately based on current year Weighted Pupil Units. Statutory provisions provide for changes in the amount of revenue appropriated to support the Social Security and Retirement Program based on student growth, the percent increase to the value of the WPU, and any changes to the retirement rate established by the Utah Retirement System.
Statutory Authority	<p>The following statute governs State support for the Social Security and Retirement program.</p> <ul style="list-style-type: none">➤ UCA 53A-17a-125 – provides statutory detail for the distribution formula detailed above. Further, the statute provides for employee and employer contribution rates based on a contributory or non-contributory program.
Funding Detail	The following table details the final distribution of Social Security & Retirement funding in FY 2007 and the estimated distribution in FY 2008 among school districts and charter schools. In FY 2007, nearly \$311 million was allocated to assist school districts and charter schools in providing these benefits to their employees. The total amount allocated in FY 2008 increased to more than \$333 million.

School Districts & Charter Schools	Social Security and Retirement		
	FY 2007	FY 2008	Percent Change
	Allocation	Allocation	
Alpine	31,979,664	34,926,784	9.2%
Beaver	1,113,725	1,151,824	3.4%
Box Elder	6,495,958	6,797,346	4.6%
Cache	8,125,258	8,560,124	5.4%
Carbon	2,395,771	2,479,469	3.5%
Daggett	250,783	256,705	2.4%
Davis	36,115,072	38,364,814	6.2%
Duchesne	2,725,561	2,857,372	4.8%
Emery	1,711,829	1,774,534	3.7%
Garfield	1,002,435	1,044,090	4.2%
Grand	1,016,309	1,066,187	4.9%
Granite	39,887,876	41,561,458	4.2%
Iron	5,152,862	5,508,745	6.9%
Jordan	45,954,299	48,100,589	4.7%
Juab	1,269,998	1,356,002	6.8%
Kane	1,164,113	1,158,214	-0.5%
Millard	2,014,156	2,091,323	3.8%
Morgan	1,226,252	1,314,634	7.2%
Nebo	15,121,579	16,015,675	5.9%
North Sanpete	1,452,230	1,523,893	4.9%
North Summit	770,890	795,956	3.3%
Park City	2,527,218	2,629,451	4.0%
Piute	363,650	374,115	2.9%
Rich	485,421	500,076	3.0%
San Juan	2,208,253	2,293,833	3.9%
Sevier	2,972,108	3,119,642	5.0%
South Sanpete	1,890,855	1,974,658	4.4%
South Summit	920,245	948,273	3.0%
Tintic	368,986	384,261	4.1%
Tooele	7,517,670	8,216,701	9.3%
Uintah	3,600,102	3,880,386	7.8%
Wasatch	2,689,200	2,980,700	10.8%
Washington	14,051,405	15,598,604	11.0%
Wayne	532,548	560,228	5.2%
Weber	17,593,589	18,782,022	6.8%
Salt Lake	14,225,515	14,799,591	4.0%
Ogden	7,312,718	7,577,653	3.6%
Provo	7,771,331	8,402,402	8.1%
Logan	3,399,205	3,590,945	5.6%
Murray	3,796,318	4,041,724	6.5%
Charter Schools	10,211,526	12,927,173	26.6%
Other	0	0	
Unallocated	(493,445)	1,026,943	
State Total	310,891,038	333,315,119	7.2%

Notes:

The FY 2008 distribution figures are estimates based on information available at the beginning of the fiscal year. These distributions may change prior to the end of the fiscal year.

The 2009 COBI will reflect the 2008 actual MSP distributions.

Source: Utah State Office of Education, Finance and Statistics Section.

Minimum School Program Distributions. FY 2007 Final and FY 2008 Summer Update.

Prepared by: Office of the Legislative Fiscal Analyst (11/07BL).

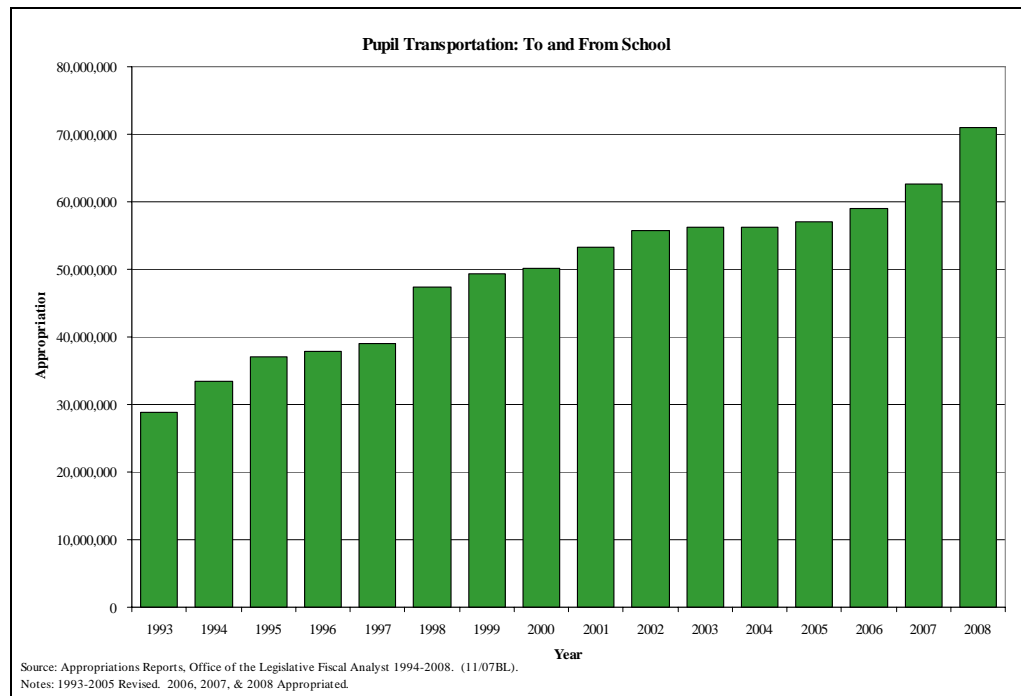
Table 5-1

PUPIL TRANSPORTATION – TO AND FROM SCHOOL PROGRAM**Function**

To and From School – Pupil Transportation provides revenue to assist the State’s 40 school districts in transporting students to and from school each day. “These funds are to be used to transport students to and from school who are eligible for bussing based on the distance they live from school, and to pay for equipment and administrative expenses.”³⁹ In addition to providing direct student transportation services, program funding is used by school districts to pay for “in lieu of” transportation expenses as an alternative to busing some students. Program funding also supports the establishment of guidelines for personnel training, as well as guidelines for bus routing and mapping.

Funding History

During the 2007 General Session, the Legislature appropriated \$70.9 to support the To and From School Program in FY 2008. Included in this figure is nearly \$2.5 million to support pupil transportation at the Utah Schools for the Deaf and Blind. The total appropriation represents an increase of \$8.3 million or 13.3 percent over the total FY 2007 appropriation. In addition, the Legislature provided \$8,000,000 in one-time Uniform School Fund revenue to support Pupil Transportation activities in the school districts in FY 2008. The following chart provides a history of To and From School pupil transportation appropriations made by the Legislature since 1993.

**Figure 1**

The above chart shows that since 1993 Legislature has more than doubled the amount of Uniform School Fund revenue appropriated to the To and From School Program. The table only represents the ongoing funding appropriated by the Legislature and does not include any additional one-time revenue appropriated to support pupil transportation programs.

³⁹ Utah School Finance Reference Manual. Utah State Office of Education. 2000-2001.

*Pupil Transportation
Increases Reflects
Increase in the
Weighted Pupil Unit*

Historically, the percent increase appropriated by the Legislature to support pupil transportation closely reflects the percent increase provided to the value of the Weighted Pupil Unit (WPU). The following chart compares the percent increase in pupil transportation funding to the percent increase in the value of the WPU since 1996.

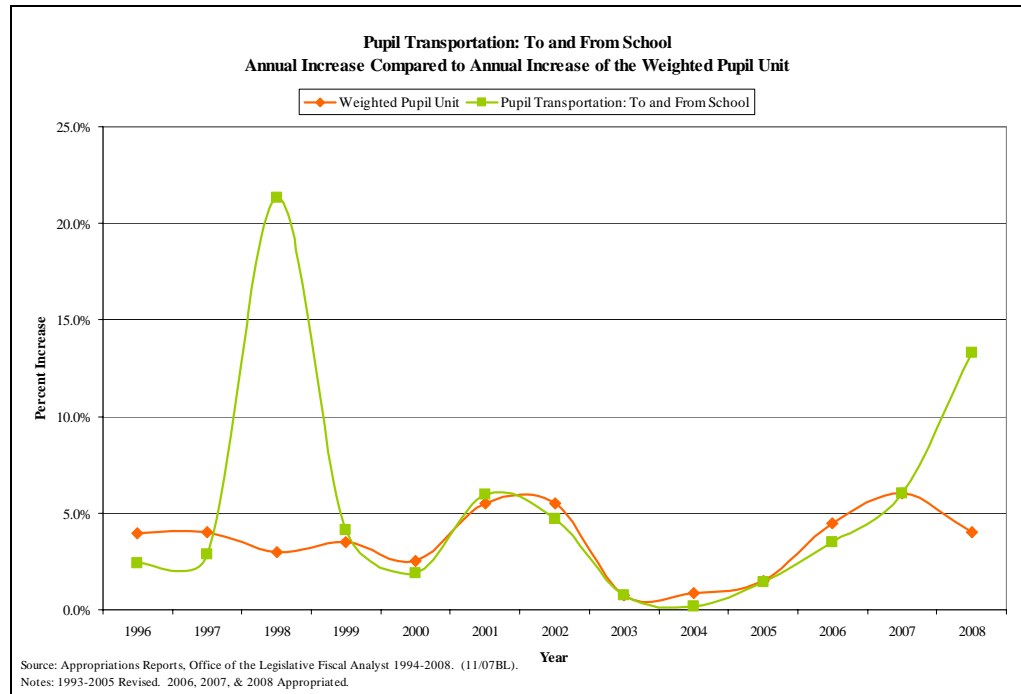


Figure 2

Fiscal Year 1998 presents an anomaly in Pupil Transportation – To and From School Funding since 1996. According to the FY 1998 Budget Analysis prepared by the Office of the Legislative Fiscal Analyst this funding spike was to correct under-funding prior to 1998: “The funding formula for transportation has been under-funded for the past number of years. This recommendation is intended to make up the shortfall.”⁴⁰

Distribution Formula

State revenue is distributed to the school districts based on the Transportation Finance Formula. This formula includes the statutory required items, namely, “an allowance per mile for approved bus routes; an allowance per hour for approved bus routes; and an annual allowance for equipment and overhead costs based on approved bus routes and the age of the equipment.”⁴¹ School districts only receive state revenue for transporting eligible students as defined by statute.

*Transportation
Finance Formula*

The Utah State Office of Education (USOE) developed the Transportation Finance Formula to govern the distribution of State To-and-From School transportation funds. The formula is divided into two schedules and the total state revenue received by a school district is the sum of these two schedules. “Schedule A is comprised of (1) an allowance for mileage, (2) and allowance

⁴⁰ Budget Analysis. Office of the Legislative Fiscal Analyst, Fiscal Year 1998. Minimum School Program.

⁴¹ UCA 53A-17a-127. Eligibility for state supported transportation – Approved bus routes – Additional local tax.

for time, and (3) and allowance for equipment (school buses) and administration (front office salaries and benefits). Schedule B is comprised of miscellaneous pupil transportation expenses that are not ‘formula’ driven.”⁴² Each of these schedules is explained in greater detail below.

*Transportation
Formula – Schedule A*

Schedule A represents the portion of state revenue received by a school district that is ‘formula driven.’ School districts receive these funds by transporting eligible students to and from school. Schedule A contains four components. These components, when summed, determine the level of funding a school district receives for this portion of the program. Each of the Schedule A components are detailed below:⁴³

5. Time Allowance – school districts are paid a rate that “reflects the state average cost per minute for driver salaries, retirement, social security and health and accident insurance.”
6. Mileage Allowance – school districts are paid a rate that “reflects the state average cost per mile for bus fuel, lubrication, tires/tubes, and repair parts.”
7. Depreciation Allowance – school districts are paid a rate that “amortizes the current state contract price of a standard equipped 84 passenger bus over the expected life (200,000 miles) of the bus.
8. Administration Allowance – school districts are provided funds for the “salaries and benefits of district transportation administrators. The calculation for administrative allowance consists of three parts: an allowance for pupils transported, and allowance for route minutes, and an allowance for route miles.”

Each of the components listed above has a reimbursement rate that governs the distribution of Schedule A revenue.

*Transportation
Formula – Schedule B*

Schedule B of the transportation formula is much less complex than Schedule A. Essentially, school districts receive Schedule B revenue through application. School districts may “request state reimbursement for miscellaneous, non-formula related expenses incurred in transporting eligible students.”⁴⁴ Approximately 2.5 percent of the total revenue allocated to the To and From Program is distributed through Schedule B.

Statutory Authority

The statutory authority for Pupil Transportation rests primarily in three statutes. These statutes provide for the funding and governance structure for pupil transportation in the State.

- UCA 53A-17a-104(o)(p) – Provides the annual appropriation supporting pupil transportation to and from school and the guarantee

⁴² Utah State Office of Education. Finance and Statistics Section. Transportation Finance Formula. Downloaded from <http://www.schools.utah.gov/finance/transportation/default.htm>, July 2006.

⁴³ Utah State Office of Education. Finance and Statistics Section. Transportation Finance Formula. Downloaded from <http://www.schools.utah.gov/finance/transportation/default.htm>, July 2006.

⁴⁴ Utah State Office of Education. Finance and Statistics Section. Transportation Finance Formula. Downloaded from <http://www.schools.utah.gov/finance/transportation/default.htm>, July 2006.

transportation levy. This statute also details the amount of revenue allocated to the Utah Schools for the Deaf and Blind to support related transportation activities.

- UCA 53A-17a-126 – Provisions detail how funding appropriated in UCA 53A-17a-104 are to be distributed among the school districts and the Utah Schools for the Deaf and Blind. The statute requires a pro-rata reduction among revenue recipients should insufficient funds be appropriated by the Legislature to cover the total cost of pupil transportation in the state.
- UCA 53A-17a-127 – Details the eligibility requirements to receive state-supported pupil transportation funds and establishes a state Transportation Advisory Committee. Eligible students must reside 1 ½ miles from school (grades K-6) or 2 miles from school (grades 7-12) to qualify for state transportation funding.

The statute provides three factors for distributing transportation funds to the school districts: “an allowance per mile for approved bus routes; an allowance per hour for approved bus routes; and an annual allowance for equipment and overhead costs based on approved bus routes and the age of the equipment.” Through this statute the Utah State Office of Education “shall annually review the allowance per mile, the allowance per hour, and the annual equipment and overhead allowance and adjust the allowance to reflect current economic conditions.”

Finally, this statute provides a mechanism for school districts to provide transportation to students that do not qualify under the provisions listed above. School districts may provide these services by using the general funds of a district or imposing a property tax rate. The “Guarantee Transportation Levy” is a state supported levy that ensures that each district imposing a minimum levy (provided in statute) will receive state guarantee funds. The statute further details the levy provisions and establishes a mechanism for the distribution of state Guarantee Transportation Levy funds.

Administrative Rule R277-600 was passed by the State Board of Education. The rule provides administrative procedures associated with the governance of Pupil Transportation.

Funding Detail

The following table details the final distribution of To and From School – Pupil Transportation funding in FY 2007 and the estimated distribution in FY 2008 among school districts. In FY 2007, \$62.6 million was allocated to assist school districts in transporting students to and from school. The total amount allocated in FY 2008 increased to more than \$78.9 million. The FY 2008 appropriation, detailed in the following table, includes an increased appropriation of \$4 million in ongoing revenues and \$8 million in one-time revenues. The remaining increase, approximately \$2.3 million, comes from other increases to help with inflationary and student growth costs.

School Districts & Charter Schools	Pupil Transportation - To and From School		
	FY 2007	FY 2008	Percent Change
	Allocation	Allocation	
Alpine	5,499,354	7,218,955	31.3%
Beaver	173,175	156,191	-9.8%
Box Elder	2,357,341	2,977,072	26.3%
Cache	3,421,918	4,285,639	25.2%
Carbon	644,812	801,879	24.4%
Daggett	116,508	127,995	9.9%
Davis	5,427,995	6,978,510	28.6%
Duchesne	1,001,923	1,131,022	12.9%
Emery	503,676	565,514	12.3%
Garfield	299,342	265,919	-11.2%
Grand	242,242	252,616	4.3%
Granite	5,178,233	6,356,515	22.8%
Iron	1,484,123	1,701,800	14.7%
Jordan	7,855,135	10,107,751	28.7%
Juab	230,325	260,688	13.2%
Kane	303,889	339,784	11.8%
Millard	871,487	975,539	11.9%
Morgan	432,129	524,603	21.4%
Nebo	2,976,477	3,935,596	32.2%
North Sanpete	592,308	677,514	14.4%
North Summit	260,954	322,488	23.6%
Park City	677,173	878,632	29.8%
Piute	211,164	235,862	11.7%
Rich	204,621	203,467	-0.6%
San Juan	1,536,373	2,041,806	32.9%
Sevier	739,232	898,804	21.6%
South Sanpete	505,167	606,498	20.1%
South Summit	280,488	341,513	21.8%
Tintic	79,111	87,161	10.2%
Tooele	1,503,645	2,016,883	34.1%
Uintah	1,583,611	1,723,768	8.9%
Wasatch	730,179	866,066	18.6%
Washington	3,111,798	5,025,847	61.5%
Wayne	195,660	220,581	12.7%
Weber	3,433,349	4,339,561	26.4%
Salt Lake	2,527,538	2,896,439	14.6%
Ogden	810,468	1,037,898	28.1%
Provo	1,355,023	1,551,472	14.5%
Logan	699,219	791,796	13.2%
Murray	371,029	461,132	24.3%
Charter Schools	0	0	
Other	2,173,569	2,740,021	
Unallocated	0	0	
State Total	62,601,763	78,928,797	26.1%

Notes:

The FY 2008 distribution figures are estimates based on information available at the beginning of the fiscal year. These distributions may change prior to the end of the fiscal year.

The 2009 COBI will reflect the 2008 actual MSP distributions.

Source: Utah State Office of Education, Finance and Statistics Section.

Minimum School Program Distributions. FY 2007 Final and FY 2008 Summer Update.

Prepared by: Office of the Legislative Fiscal Analyst (11/07BL).

Table 5-2

PUPIL TRANSPORTATION – GUARANTEE TRANSPORTATION LEVY

Function	<p>The Guarantee Transportation Levy assists a minority of small school districts in providing pupil transportation services not covered through the Transportation Finance Formula. The program also assists these districts with the added transportation costs associated with remote locations and small student populations.</p> <p>A district can levy a tax to purchase new buses, provide special busing for hazardous walking areas, and fund transportation costs associated with field and activity trips. A local school board qualifies if it levies at least the minimum special transportation tax rate of 0.0002 (FY 2003), and the levy imposed by the district is not enough to generate at least 85% of the state average cost per mile for the purposes listed above.</p>
Statutory Authority	<p>Please refer to the statutory provisions and State Board of Education rules identified in the Pupil Transportation – To and From School Program.</p>
Funding Detail	<p>State revenue supporting the Guarantee Transportation Levy has remained stable for the past seven years at \$500,000 annually. In FY 2002 the Legislature increased the annual appropriation to the Guarantee Transportation Levy by \$275,000 from the original allocation of \$225,000.</p> <p>The following table details the final distribution of the state support for the Guarantee Transportation Levy in FY 2007 and the estimated distribution in FY 2008 among school districts. In FY 2007, \$500,000 was allocated to assist 11 school districts in transporting students. The total amount allocated in FY 2008 remained at \$500,000 and the number of school districts receiving state support declined to seven.</p>

School Districts & Charter Schools	Guarantee Transportation Levy		
	FY 2007	FY 2008	Percent Change
	Allocation	Allocation	
Alpine	0	0	0.0%
Beaver	6,787	80,344	1083.8%
Box Elder	0	0	0.0%
Cache	0	0	0.0%
Carbon	0	0	0.0%
Daggett	15,987	19,450	21.7%
Davis	0	0	0.0%
Duchesne	93,453	96,814	3.6%
Emery	0	0	0.0%
Garfield	80,476	0	-100.0%
Grand	0	0	0.0%
Granite	0	0	0.0%
Iron	0	0	0.0%
Jordan	0	0	0.0%
Juab	0	0	0.0%
Kane	0	0	0.0%
Millard	0	0	0.0%
Morgan	0	0	0.0%
Nebo	0	0	0.0%
North Sanpete	19,469	0	-100.0%
North Summit	23,846	0	-100.0%
Park City	0	0	0.0%
Piute	17,911	0	-100.0%
Rich	20,659	0	-100.0%
San Juan	200,781	247,696	23.4%
Sevier	0	12,721	0.0%
South Sanpete	7,261	22,413	208.7%
South Summit	0	0	0.0%
Tintic	0	0	0.0%
Tooele	0	0	0.0%
Uintah	0	0	0.0%
Wasatch	0	0	0.0%
Washington	0	0	0.0%
Wayne	13,370	20,562	53.8%
Weber	0	0	0.0%
Salt Lake	0	0	0.0%
Ogden	0	0	0.0%
Provo	0	0	0.0%
Logan	0	0	0.0%
Murray	0	0	0.0%
Charter Schools	0	0	0.0%
Other	0	0	0.0%
Unallocated	0	0	0.0%
State Total	500,000	500,000	0.0%

Notes:

The FY 2008 distribution figures are estimates based on information available at the beginning of the fiscal year. These distributions may change prior to the end of the fiscal year.

The 2009 COBI will reflect the 2008 actual MSP distributions.

Source: Utah State Office of Education, Finance and Statistics Section.

Minimum School Program Distributions. FY 2007 Final and FY 2008 Summer Update.

Prepared by: Office of the Legislative Fiscal Analyst (11/07BL).

Table 5-3

CHAPTER 6 MSP – RELATED TO BASIC PROGRAMS – BLOCK GRANTS

Introduction	During the 2001 General Session the Legislature consolidated twenty five categorical programs within the Minimum School Program. The majority of these programs were consolidated into a series of large block grants. The Legislature created three block grants out of fifteen programs and transferred four programs to the Utah State Office of Education budget. The four categorical programs moved to the USOE include Staff Development, Reading Scholarship Program, Regional Service Center Funding, and Contingency Fund. Finally, the Legislature loosened spending requirements for another six programs (these programs are found in the next chapter).
LOCAL DISCRETIONARY BLOCK GRANT	
Function	The Local Discretionary Block Grant Program provides revenue to allow the local school district and charter schools to meet locally determined needs. The block grant resulted from several consolidated MSP categorical programs. Four previous categorical programs include the Un-restricted Local Program, Education Technology Initiative, Character Education, and School Nurses. Upon consolidation into the Local Discretionary Block Grant, individual program identities and allocation formulas associated with the categorical programs were removed.
<i>Formula</i>	Consolidation removed former distribution methods and a new distribution formula is based on Regular Basic Program WPUs. The Local Discretionary Block Grant distribution formula requires that 8 percent of the total appropriation be distributed equally among all school districts (with charter schools treated as a single school district) and 92 percent on a proportional Regular Basic Program WPU basis.
Statutory Authority	<p>The following statute governs the Local Discretionary Block Grant Program.</p> <ul style="list-style-type: none"> ➤ UCA 53A-17a-123 – requires the State Board of Education to develop a distribution formula that allocated revenues in a fair and equitable manner. The statute also details expenditure limitations placed on school districts and charter schools. <p>Administrative Rule R277-478 was passed by the State Board of Education. The rule provides administrative procedures associated with the governance of the Local Discretionary Block Grant Program.</p>
Funding Detail	The following table details the final distribution of Local Discretionary funding in FY 2007 and the estimated distribution in FY 2008 among school districts and charter schools. In FY 2007, \$21.8 million was allocated to assist school districts and charter schools through this block grant program. The total amount allocated in FY 2008 remained at \$21.8 million. The majority of school districts show a decrease in Local Discretionary funding. Since the formula distributes revenue based largely on a district/charter school's total WPU count, as WPUs increase and revenue remains flat available revenue is spread among a larger WPU base. This in turn decreases the allocation to many district/charter schools while the funding level remains constant.

School Districts & Charter Schools	Local Discretionary Block Grant		
	FY 2007	FY 2008	Percent Change
	Allocation	Allocation	
Alpine	2,161,269	2,194,214	1.5%
Beaver	113,177	110,538	-2.3%
Box Elder	458,643	446,679	-2.6%
Cache	567,327	555,108	-2.2%
Carbon	185,577	179,940	-3.0%
Daggett	57,192	56,322	-1.5%
Davis	2,408,560	2,369,567	-1.6%
Duchesne	206,113	202,062	-2.0%
Emery	148,870	145,201	-2.5%
Garfield	105,827	103,716	-2.0%
Grand	103,020	102,226	-0.8%
Granite	2,586,323	2,518,657	-2.6%
Iron	374,494	372,418	-0.6%
Jordan	3,029,664	2,945,685	-2.8%
Juab	121,703	121,611	-0.1%
Kane	113,652	109,718	-3.5%
Millard	167,295	160,987	-3.8%
Morgan	123,482	122,700	-0.6%
Nebo	1,018,009	1,000,868	-1.7%
North Sanpete	131,794	130,368	-1.1%
North Summit	89,406	87,786	-1.8%
Park City	208,330	201,753	-3.2%
Piute	64,177	63,491	-1.1%
Rich	73,476	72,453	-1.4%
San Juan	185,547	180,524	-2.7%
Sevier	229,793	226,969	-1.2%
South Sanpete	155,146	153,177	-1.3%
South Summit	101,728	99,517	-2.2%
Tintic	65,502	64,502	-1.5%
Tooele	531,236	540,085	1.7%
Uintah	262,850	264,696	0.7%
Wasatch	211,488	216,901	2.6%
Washington	976,216	1,004,088	2.9%
Wayne	75,981	75,422	-0.7%
Weber	1,142,503	1,135,664	-0.6%
Salt Lake	917,655	888,777	-3.1%
Ogden	500,745	483,833	-3.4%
Provo	534,458	535,811	0.3%
Logan	263,367	259,727	-1.4%
Murray	287,376	287,148	-0.1%
Charter Schools	782,587	919,988	17.6%
Other	0	0	
Unallocated	(20,810)	109,851	
State Total	21,820,748	21,820,748	0.0%

Notes:

The FY 2008 distribution figures are estimates based on information available at the beginning of the fiscal year. These distributions may change prior to the end of the fiscal year.

The 2009 COBI will reflect the 2008 actual MSP distributions.

Source: Utah State Office of Education, Finance and Statistics Section.

Minimum School Program Distributions. FY 2007 Final and FY 2008 Summer Update.

Prepared by: Office of the Legislative Fiscal Analyst (11/07BL).

Table 6-1

INTERVENTIONS FOR STUDENT SUCCESS BLOCK GRANT

Function	<p>The Interventions for Student Success block grant is used to “improve the academic performance of students who do not meet performance standards as determined by U-PASS [Utah Performance Assessment System for Students] test results; interventions must be consistent with a district plan approved by the local school board, and the plan must specify intended results.”⁴⁵</p> <p>The block grant contains six MSP categorical programs that were designed to help the academic progress of students at the greatest risk of falling behind. Consolidated programs include; Truancy Intervention and Prevention, Incentives for Excellence, Alternative Middle Schools, Reading Initiative, Experimental/Developmental Formula, Local Discretionary Program, and Alternative Language Services. Upon consolidation into the Interventions for Student Success Block Grant, individual program identities and allocation formulas associated with the categorical programs were removed.</p>
<i>Formula</i>	<p>The Interventions for Student Success Block Grant is distributed to school districts and charter schools based on a formula that accounts for district size (student population) and the proportion of English language learners in a school district or charter school. Of the two formula components, 77 percent is distributed based on the total number of WPU's in a district or charter school. Eight percent (of the 77 percent) is distributed equally among school districts (charter schools count as one district). The second component, 27 percent, is distributed based on the proportional number of English language learners.</p>
Statutory Authority	<p>The following statute governs the Interventions for Student Success Block Grant.</p> <ul style="list-style-type: none"> ➤ UCA 53A-17a-123.5 – directs the State Board of Education to establish a fair and equitable distribution formula, requires school districts to develop a plan for the expenditure of block grant funds, and provides restrictions on the use of block grant funds. <p>Administrative Rule R277-478 was passed by the State Board of Education. The rule provides administrative procedures associated with the governance of the Interventions for Student Success Block Grant program.</p>
Funding Detail	<p>The following table details the final distribution of Interventions for Student Success funding in FY 2007 and the estimated distribution in FY 2008 among school districts and charter schools. In FY 2007, nearly \$16.8 million was allocated to support the programs funded through this block grant. The total amount allocated in FY 2008 increased to over \$17.9 million.</p>

⁴⁵ Utah State Office of Education, Finance and Statistics Section, Minimum School Program Descriptions. November 2006.

School Districts & Charter Schools	Interventions for Student Success Block Grant		
	FY 2007	FY 2008	Percent Change
	Allocation	Allocation	
Alpine	1,462,697	1,584,126	8.3%
Beaver	80,094	84,002	4.9%
Box Elder	312,048	326,233	4.5%
Cache	396,031	415,864	5.0%
Carbon	115,474	119,975	3.9%
Daggett	41,372	43,693	5.6%
Davis	1,617,998	1,705,769	5.4%
Duchesne	134,158	140,930	5.0%
Emery	100,781	105,481	4.7%
Garfield	73,491	77,267	5.1%
Grand	73,811	78,422	6.2%
Granite	2,776,747	2,926,918	5.4%
Iron	256,224	272,653	6.4%
Jordan	2,044,213	2,133,684	4.4%
Juab	78,438	83,801	6.8%
Kane	75,393	78,176	3.7%
Millard	126,090	130,912	3.8%
Morgan	80,139	85,195	6.3%
Nebo	682,895	719,517	5.4%
North Sanpete	99,527	105,525	6.0%
North Summit	65,531	69,060	5.4%
Park City	161,835	168,962	4.4%
Piute	45,740	48,478	6.0%
Rich	51,107	54,008	5.7%
San Juan	159,733	167,673	5.0%
Sevier	148,585	157,111	5.7%
South Sanpete	115,452	122,215	5.9%
South Summit	72,221	75,848	5.0%
Tintic	45,999	48,561	5.6%
Tooele	366,851	397,667	8.4%
Uintah	163,279	175,704	7.6%
Wasatch	164,670	179,391	8.9%
Washington	728,350	795,891	9.3%
Wayne	52,047	55,299	6.2%
Weber	722,534	768,254	6.3%
Salt Lake	1,223,003	1,289,714	5.5%
Ogden	512,780	537,787	4.9%
Provo	520,601	557,418	7.1%
Logan	184,915	195,450	5.7%
Murray	208,985	223,290	6.8%
Charter Schools	463,093	579,922	25.2%
Other	0	0	
Unallocated	(12,044)	67,766	
State Total	16,792,888	17,953,612	6.9%

Notes:

The FY 2008 distribution figures are estimates based on information available at the beginning of the fiscal year. These distributions may change prior to the end of the fiscal year.

The 2009 COBI will reflect the 2008 actual MSP distributions.

Source: Utah State Office of Education, Finance and Statistics Section.

Minimum School Program Distributions. FY 2007 Final and FY 2008 Summer Update.

Prepared by: Office of the Legislative Fiscal Analyst (11/07BL).

Table 6-2

QUALITY TEACHING BLOCK GRANT

Function	<p>The Quality Teaching Block Grant is used to “implement long term professional development plans in both schools and districts; the plans must be approved by the local school board, and each individual school plan must be consistent with the district plan.”⁴⁶ The program was established during the 2003 General Session to provide school districts with maximum flexibility in the use of their funding as appropriated by the State Legislature.</p> <p>The Legislature created the block grant by combining the Career Ladder Program with a \$10 million increase to provide for two additional professional development work-days. The Career Ladder Program was a categorical program within the MSP. Subsequent action by the Legislature removed \$5 million from the block grant (or one extra professional development day).</p> <p>In FY 2008, the Legislature provided an additional \$6.6 million in addition to funding increases to adjust for inflation and student growth. The additional revenue was appropriated to provide additional professional development time for educators.</p>
<i>Formula</i>	<p>School districts and charter schools receive Quality Teaching Block Grant funds on a formula basis proportional to their prior year Regular Basic WPU allocation and prior year licensed FTE level. Charter schools are treated as one school district. The distribution formula distributes 70 percent of program funds based on prior year WPUs and 30 percent based on prior year licensed FTE levels.</p>
<i>Formula Restrictions</i>	<p>Program funds cannot be used to hire additional staff, to maintain current staffing levels, or to cover administrative costs.</p>
Statutory Authority	<p>The following statute governs the state contribution to the Quality Teaching Block Grant Program.</p> <ul style="list-style-type: none"> ➤ UCA 53A-17a-124 – requires the State Board of Education to develop a distribution formula that allocates revenue in a fair and equitable manner. Further the statute requires local school boards to use block grant funds to implement school and district comprehensive, long-term professional development plans. <p>Administrative Rule R277-478 was passed by the State Board of Education. The rule provides administrative procedures associated with the governance of the Quality Teaching Block Grant Program.</p>
Funding Detail	<p>The following table details the final distribution of Quality Teaching Block Grant funding in FY 2007 and the estimated distribution in FY 2008 among school districts and charter schools. In FY 2007, nearly \$63 million was allocated to support the programs funded through this block grant. The total revenue allocated in FY 2008 increased to over \$73.9 million.</p>

⁴⁶ Utah State Office of Education, Finance and Statistics Section, Minimum School Program Descriptions. November 2006.

School Districts & Charter Schools	Quality Teaching Block Grant		
	FY 2007	FY 2008	Percent Change
	Allocation	Allocation	
Alpine	6,357,999	7,382,168	16.1%
Beaver	222,047	250,159	12.7%
Box Elder	1,350,917	1,536,490	13.7%
Cache	1,640,705	1,893,324	15.4%
Carbon	492,934	563,679	14.4%
Daggett	47,433	52,699	11.1%
Davis	7,462,709	8,607,919	15.3%
Duchesne	584,535	661,268	13.1%
Emery	357,507	400,145	11.9%
Garfield	197,831	225,436	14.0%
Grand	214,912	247,905	15.4%
Granite	8,488,595	9,616,397	13.3%
Iron	1,023,582	1,223,411	19.5%
Jordan	9,139,953	10,634,307	16.3%
Juab	252,744	294,945	16.7%
Kane	225,619	258,282	14.5%
Millard	431,229	476,484	10.5%
Morgan	255,418	297,823	16.6%
Nebo	2,971,123	3,526,876	18.7%
North Sanpete	314,793	357,383	13.5%
North Summit	157,316	180,373	14.7%
Park City	576,374	646,294	12.1%
Piute	73,418	84,758	15.4%
Rich	97,424	111,830	14.8%
San Juan	484,933	550,059	13.4%
Sevier	600,248	693,068	15.5%
South Sanpete	410,476	459,837	12.0%
South Summit	191,678	220,578	15.1%
Tintic	72,045	82,392	14.4%
Tooele	1,468,331	1,776,609	21.0%
Uintah	746,127	847,598	13.6%
Wasatch	549,062	654,202	19.1%
Washington	2,883,817	3,347,047	16.1%
Wayne	106,073	122,529	15.5%
Weber	3,561,600	4,113,535	15.5%
Salt Lake	3,027,522	3,434,787	13.5%
Ogden	1,544,382	1,737,613	12.5%
Provo	1,693,694	1,863,431	10.0%
Logan	732,334	821,139	12.1%
Murray	803,207	901,891	12.3%
Charter Schools	2,033,022	2,791,159	37.3%
Other	0	0	
Unallocated	(851,964)	0	
State Total	62,993,704	73,947,829	17.4%

Notes:

The FY 2008 distribution figures are estimates based on information available at the beginning of the fiscal year. These distributions may change prior to the end of the fiscal year.

The 2009 COBI will reflect the 2008 actual MSP distributions.

Source: Utah State Office of Education, Finance and Statistics Section.

Minimum School Program Distributions. FY 2007 Final and FY 2008 Summer Update.

Prepared by: Office of the Legislative Fiscal Analyst (11/07BL).

Table 6-3

CHAPTER 7 MSP – RELATED TO BASIC PROGRAMS – SPECIAL POPULATIONS

Introduction Through the process of creating the various block grant programs detailed in Chapter 6, the Legislature created the Special Populations Program. Programs maintained their distribution formulas, statutory provisions, regulations and mandates. Further, free movement of money among any of the Special Populations Programs was granted depending on local decisions and priorities.

HIGHLY IMPACTED SCHOOLS FUNDING

Function House Bill 172 (1995 General Session) created the Highly Impacted Schools Program. The program provides additional resources for individual assistance to students at schools determined to be highly impacted. Program revenue supports “additional educational services in schools whose student demographic composition indicates a high concentration of students most likely to be at risk for academic failure.”⁴⁷

The program provides funding to approximately 50 schools with the highest rates of English language deficiency, student mobility, single parent families, free-lunch eligibility and ethnic-minority students. These schools serve communities where virtually all students are eligible for free lunch, where less than half remain in a single school for the entire year, and where over half speak a language other than English. The children who attend these schools experience living conditions that limit their potential for school success.

Formula Eligibility is determined every third year by a school’s relative position within a ranked list of all schools that apply for funding.” Each school receives a base allocation of \$30,000. Remaining revenue is distributed proportionately.

Formula Restrictions Schools that receive Highly Impacted Schools funding must provide evidence that students attending the school have made academic gains.

Statutory Authority The following statute governs the Highly Impacted Schools program.

- UCA 53A-15-701 – provides criteria for the State Office of Education, in consultation with the Governor’s Office, for determining Highly Impacted Schools. The statute also provides the formula criteria detailed above and requires the State Board of Education to monitor and report on the success of the program.

Administrative Rule R277-464-3 was passed by the State Board of Education. The rule provides administrative procedures governing the program.

Funding Detail The following table details the final distribution of Highly Impacted Schools funding in FY 2007 and the estimated distribution in FY 2008 among school districts. In FY 2007, \$5.1 million was allocated to support highly impacted schools. The total revenue allocated in FY 2008 remained at \$5.1 million.

⁴⁷ Utah State Office of Education, Finance and Statistics Section, Minimum School Program Descriptions. November 2006.

School Districts & Charter Schools	Highly Impacted Schools		
	FY 2007	FY 2008	Percent Change
	Allocation	Allocation	
Alpine	0	0	0.0%
Beaver	0	0	0.0%
Box Elder	32,445	32,445	0.0%
Cache	0	0	0.0%
Carbon	0	0	0.0%
Daggett	0	0	0.0%
Davis	0	0	0.0%
Duchesne	0	0	0.0%
Emery	0	0	0.0%
Garfield	0	0	0.0%
Grand	0	0	0.0%
Granite	1,556,742	1,556,742	0.0%
Iron	0	0	0.0%
Jordan	123,083	123,083	0.0%
Juab	0	0	0.0%
Kane	0	0	0.0%
Millard	0	0	0.0%
Morgan	0	0	0.0%
Nebo	0	0	0.0%
North Sanpete	0	0	0.0%
North Summit	0	0	0.0%
Park City	0	0	0.0%
Piute	0	0	0.0%
Rich	0	0	0.0%
San Juan	352,744	352,744	0.0%
Sevier	0	0	0.0%
South Sanpete	0	0	0.0%
South Summit	0	0	0.0%
Tintic	0	0	0.0%
Tooele	116,521	116,521	0.0%
Uintah	131,801	131,801	0.0%
Wasatch	0	0	0.0%
Washington	0	0	0.0%
Wayne	0	0	0.0%
Weber	66,785	66,785	0.0%
Salt Lake	1,735,330	1,735,330	0.0%
Ogden	730,855	730,855	0.0%
Provo	276,901	276,901	0.0%
Logan	0	0	0.0%
Murray	0	0	0.0%
Charter Schools	0	0	0.0%
Other	0	0	0.0%
Unallocated	0	0	0.0%
State Total	5,123,207	5,123,207	0.0%

Notes:

The FY 2008 distribution figures are estimates based on information available at the beginning of the fiscal year. These distributions may change prior to the end of the fiscal year.

The 2009 COBI will reflect the 2008 actual MSP distributions.

Source: Utah State Office of Education, Finance and Statistics Section.

Minimum School Program Distributions. FY 2007 Final and FY 2008 Summer Update.

Prepared by: Office of the Legislative Fiscal Analyst (11/07BL).

Table 7-1

AT-RISK PROGRAMS**Function**

At Risk Programs contains five subprograms that serve the specialized needs of students who might be academically "at risk" and help these students overcome the factors which put them at-risk. The five At Risk Programs include:

- Gang Prevention – funding is targeted to programs that discourage students from joining gangs.
 - *Formula* – schools receive funds on a Request for Proposal basis.
 - *Formula Restrictions* – recipient schools must match requested funds based on the grade levels served by the school. Elementary schools must provide a 12 percent match, middle/intermediate/junior high schools must provide an 18 percent match, and high schools must provide a 25 percent match.

“At least half of the match must be in-kind services at the school, but in-kind services may not include expenditures for office space or clerical support.”⁴⁸
- Homeless and Disadvantaged Minority – provides “additional educational services for homeless and economically disadvantaged ethnic minority students.”⁴⁹
 - *Formula* – program funding is divided equally among two criteria. First, school districts receive program funding on a proportional basis as determined by the number of homeless students residing in homeless shelters (based on prior year count). The second half is distributed to school districts based on the proportional “prior year number of ethnic minority students who are eligible for free or reduced price school meals.”⁵⁰
- MESA (Mathematics, Engineering and Science Achievement) – funding encourages high school age “ethnic minority and female students to pursue postsecondary training and employment in mathematics, engineering, or science by enabling them to participate in an enriched math and science curriculum.”⁵¹
 - *Formula* – school districts receive funds on a Request for Proposal basis. The RFP process is administered by the MESA Public Education Committee.

⁴⁸ Utah State Office of Education, Finance and Statistics Section, Minimum School Program Descriptions. November 2006

⁴⁹ Ibid.

⁵⁰ Ibid.

⁵¹ Ibid.

- Regular Programs – funding promotes reducing the achievement gap among demographic subgroups within the public education system.
 - *Formula* – school districts receive proportional funding based on “the share of current year Grades 1-12 [Program] WPU plus [Necessarily Existent] Small School WPUs and the share of students eligible for free or reduced price school meals.”⁵² Each district is guaranteed a minimum of \$18,600.
- Youth in Custody – provides educational services to students who are in the custody of the Utah State Department of Human Services, a juvenile detention facility, or an equivalent agency of a tribe recognized by the Bureau of Indian Affairs.
 - *Formula* – school districts receive program funding through an application process. Districts act as contractors providing services that range from “instruction in the core curriculum in secure facilities to the mentoring of students in foster care.”⁵³
 - *Formula Restrictions* – school districts must have Youth in Custody students within their jurisdiction to qualify for program funding.

Statutory Authority

The following statute governs the At Risk Programs.

- UCA 53A-17a-121 – outlines each of the At Risk Programs mentioned above, as well as, the statutory criteria for distributing program funds to school districts and charter schools.

Administrative Rule R277-760-3 was passed by the State Board of Education. The rule provides administrative procedures associated with the governance of the At Risk Programs.

Funding Detail

The following table details the final distribution of revenue supporting student at-risk programs in FY 2007 and the estimated distribution in FY 2008 among school districts and charter schools. In FY 2007, more than \$27.9 million was allocated to support programs in districts and charter schools targeted to improve the success of at-risk students. The total revenue allocated in FY 2008 increased to over \$19.9 million.

⁵² Utah State Office of Education, Finance and Statistics Section, Minimum School Program Descriptions. November 2006

⁵³ Ibid.

School Districts & Charter Schools	At-Risk Programs		
	FY 2007	FY 2008	Percent Change
	Allocation	Allocation	
Alpine	1,664,742	589,743	-64.6%
Beaver	27,916	26,197	-6.2%
Box Elder	472,703	140,202	-70.3%
Cache	285,122	161,985	-43.2%
Carbon	392,860	56,357	-85.7%
Daggett	18,376	18,399	0.1%
Davis	2,384,403	657,508	-72.4%
Duchesne	119,826	59,386	-50.4%
Emery	40,709	38,989	-4.2%
Garfield	21,051	19,205	-8.8%
Grand	27,136	24,586	-9.4%
Granite	6,678,701	971,004	-85.5%
Iron	680,828	117,034	-82.8%
Jordan	2,596,529	773,348	-70.2%
Juab	27,111	27,261	0.6%
Kane	21,188	21,847	3.1%
Millard	56,129	47,690	-15.0%
Morgan	18,725	19,366	3.4%
Nebo	1,837,750	296,579	-83.9%
North Sanpete	230,875	39,054	-83.1%
North Summit	19,616	18,399	-6.2%
Park City	45,150	37,088	-17.9%
Piute	194,267	18,399	-90.5%
Rich	18,414	18,399	-0.1%
San Juan	353,153	65,638	-81.4%
Sevier	242,704	68,441	-71.8%
South Sanpete	312,655	47,174	-84.9%
South Summit	19,539	18,399	-5.8%
Tintic	18,725	18,399	-1.7%
Tooele	186,106	162,081	-12.9%
Uintah	417,057	83,457	-80.0%
Wasatch	57,088	51,427	-9.9%
Washington	971,682	290,522	-70.1%
Wayne	18,686	18,399	-1.5%
Weber	1,050,020	333,152	-68.3%
Salt Lake	1,469,516	413,001	-71.9%
Ogden	2,268,984	240,994	-89.4%
Provo	1,615,802	196,109	-87.9%
Logan	372,671	85,519	-77.1%
Murray	94,085	72,891	-22.5%
Charter Schools	168,030	151,451	-9.9%
Other	0	0	
Unallocated	475,426	23,411,788	
State Total	27,992,056	29,926,867	6.9%

Notes:

The FY 2008 distribution figures are estimates based on information available at the beginning of the fiscal year. These distributions may change prior to the end of the fiscal year.

The 2009 COBI will reflect the 2008 actual MSP distributions.

Source: Utah State Office of Education, Finance and Statistics Section.

Minimum School Program Distributions. FY 2007 Final and FY 2008 Summer Update.

Prepared by: Office of the Legislative Fiscal Analyst (11/07BL).

Table 7-2

ADULT EDUCATION**Function**

Adult education programs support the “formal training of adults in literacy, academic, and workplace skills.”⁵⁴ The program assists adults who can function in everyday life but do not have a secondary school diploma, the General Educational Development Test (GED) or its recognized equivalent. District programs provide instruction in subjects that lead to a high school diploma or GED for adults.

Eligibility for Adult Education includes:⁵⁵

- Individuals who are at least 18 years of age, or at least 16 years of age and released from compulsory attendance by the local School Board or are an adjudicated adult.
- Individuals who lack sufficient mastery of basic educational skills or English language communication skills to enable them to function effectively in society.
 - Lacking sufficient mastery means if a student had obtained a high school diploma but tests at an educational functioning level less than an adult high school standard.
 - Learners qualify if they lack sufficient English language skills to get or maintain employment.
- An individual that lacks a secondary school diploma or its recognized equivalent.
- Individuals who are concurrently enrolled in a partnering adult education program with a post-secondary institution.

School districts may offer any of five Adult Education programs. These programs are highlighted below.⁵⁶

- Adult Basic Education – “provides instruction for adults whose inability to compute or speak, read, or write the English language at or below the eighth grade level substantially impairs their ability to find or retain employment commensurate with their real ability.”
- Adult High School Completion – is a program for adults “who have some literacy skills and can function in everyday life but are not proficient or do not have a secondary school diploma, GED or its recognized equivalent.”
- English Language Civics – the primary function of this program is to “teach English-As-A-Second Language to adult learners. These programs include school district’s adult education programs,

⁵⁴ Ibid.

⁵⁵ Eligibility criteria retrieved from the Utah State Office of Education website on December 3, 2006.
<http://www.schools.utah.gov/adulted/home.htm>

⁵⁶ Eligibility criteria retrieved from the Utah State Office of Education website on December 3, 2006.
<http://www.schools.utah.gov/adulted/home.htm>

community-based programs, faith-based programs, and beginning in the school year 2004 for profit programs.”

- English for Speakers of other Languages – is a “program for those limited English proficient students who have a focus on improving English communication skills such as speaking, reading, writing, and listening.”
- General Educational Development – provide training geared for the GED test. The GED “measures the major and lasting outcomes and concepts associated with a traditional four-year high school education.”

Formula

School districts receive Adult Education allocations based on a formula which includes an equal funding base of 7 percent (or \$13,000) of the total allocation. The remaining appropriation is divided among the school districts based on formula. This formula includes 50% “proportional to outcomes (high school diplomas awarded, GED certificates awarded, level gains made, high school credits earned); 25% proportional to enrollment; 16% proportional to contact hours; and 2% retained for discretionary allocation on merits of application”⁵⁷ made by school districts.

Formula Restrictions

A school district must have its Adult Education plan approved by the State Board of Education in order to receive program allocations.

Statutory Authority

The following statute governs Adult Education programs offered by school districts.

- UCA 53A-17a-119 – provides rule making authority to the State Board of Education and outlines the allocation formula for distributing Adult Education appropriations to school districts.

Administrative Rule R277-733 was passed by the State Board of Education. The rule provides administrative procedures associated with the governance of the Adult Education Programs.

Funding Detail

The following table details the final distribution of Adult Education among districts in FY 2007 and the estimated distribution in FY 2008 among school districts and charter schools. In FY 2007, more than \$9.1 million was allocated to support adult education programs in the school districts. The total revenue allocated in FY 2008 increased to nearly \$9.8 million.

⁵⁷ Utah State Office of Education, Finance and Statistics Section, Minimum School Program Descriptions. November 2006

School Districts & Charter Schools	Adult Education		
	FY 2007	FY 2008	Percent Change
	Allocation	Allocation	
Alpine	295,478	433,032	46.6%
Beaver	163,870	67,692	-58.7%
Box Elder	156,186	137,612	-11.9%
Cache	78,672	75,917	-3.5%
Carbon	98,990	110,290	11.4%
Daggett	34,698	24,604	-29.1%
Davis	862,613	948,035	9.9%
Duchesne	76,563	67,977	-11.2%
Emery	41,292	24,333	-41.1%
Garfield	79,348	78,070	-1.6%
Grand	28,688	29,532	2.9%
Granite	974,893	1,208,828	24.0%
Iron	85,296	85,077	-0.3%
Jordan	1,472,037	1,540,477	4.6%
Juab	23,329	24,036	3.0%
Kane	34,491	24,538	-28.9%
Millard	52,540	51,142	-2.7%
Morgan	28,412	19,796	-30.3%
Nebo	147,904	161,628	9.3%
North Sanpete	43,488	22,202	-48.9%
North Summit	18,682	18,518	-0.9%
Park City	40,383	42,078	4.2%
Piute	19,633	20,544	4.6%
Rich	0	0	0.0%
San Juan	128,860	62,476	-51.5%
Sevier	40,018	44,408	11.0%
South Sanpete	484,781	446,015	-8.0%
South Summit	17,028	18,701	9.8%
Tintic	23,293	20,288	-12.9%
Tooele	158,915	207,381	30.5%
Uintah	105,346	111,623	6.0%
Wasatch	66,456	67,227	1.2%
Washington	383,784	435,594	13.5%
Wayne	16,865	18,789	11.4%
Weber	263,168	242,583	-7.8%
Salt Lake	1,658,324	1,821,531	9.8%
Ogden	572,889	599,207	4.6%
Provo	253,055	195,441	-22.8%
Logan	44,724	41,898	-6.3%
Murray	73,661	36,268	-50.8%
Charter Schools	0	0	0.0%
Other	0	0	
Unallocated	0	195,620	
State Total	9,148,653	9,781,008	6.9%

Notes:

The FY 2008 distribution figures are estimates based on information available at the beginning of the fiscal year. These distributions may change prior to the end of the fiscal year.

The 2009 COBI will reflect the 2008 actual MSP distributions.

Source: Utah State Office of Education, Finance and Statistics Section.

Minimum School Program Distributions. FY 2007 Final and FY 2008 Summer Update.

Prepared by: Office of the Legislative Fiscal Analyst (11/07BL).

Table 7-3

ACCELERATED LEARNING PROGRAMS

Function	<p>Accelerated Learning includes three programs including Advanced Placement Programs, Concurrent Enrollment Programs and Gifted and Talented Programs.</p> <ul style="list-style-type: none"> ➤ Advanced Placement programs “allow students to take college level course while in high school and thereby obtain college credit by passing end of year tests associated with the courses.”⁵⁸ <ul style="list-style-type: none"> ○ <i>Formula</i> – school districts receive program funding on a proportional basis to the number of AP exams passed during the previous school year. ➤ Gifted and Talented Programs provide revenue to school districts and charter schools “to implement programs that are beneficial to students who function academically above their normal grade level.”⁵⁹ <ul style="list-style-type: none"> ○ <i>Formula</i> – school districts and charter schools receive program funding on a proportional basis as determined by their current year WPU’s for Kindergarten, Grades 1-12 and Necessarily Existent Small Schools.
Statutory Authority	<p>The following statutes govern the various Accelerated Learning Programs.</p> <ul style="list-style-type: none"> ➤ UCA 53A-17a-120 – directs appropriations for Accelerated Learning Programs to local school boards. <p>Administrative Rules R277-711 and R277-713 were passed by the State Board of Education. The rule provides administrative procedures associated with the governance of the Accelerated Learning Programs.</p>
Funding Detail	<p>The following table details the final distribution of the revenue supporting accelerated learning programs in FY 2007 and the estimated distribution in FY 2008 among school districts and charter schools. In FY 2007, more than \$12 million was allocated to support accelerated programs. The total revenue allocated in FY 2008 decreased by nearly \$4 million. This decrease was the result of legislative action during the 2008 General Session. Legislators established the Concurrent Enrollment program as a categorical program within the Minimum School Program. Concurrent Enrollment is discussed in the next section.</p>

⁵⁸ Ibid.⁵⁹ Ibid.

School Districts & Charter Schools	Accelerated Learning Programs		
	FY 2007	FY 2008	Percent Change
	Allocation	Allocation	
Alpine	1,641,500	496,214	-69.8%
Beaver	35,530	8,355	-76.5%
Box Elder	253,449	60,468	-76.1%
Cache	604,995	100,930	-83.3%
Carbon	42,014	19,411	-53.8%
Daggett	8,594	1,526	-82.2%
Davis	1,142,964	584,313	-48.9%
Duchesne	147,372	17,709	-88.0%
Emery	66,583	14,746	-77.9%
Garfield	21,158	6,789	-67.9%
Grand	34,578	7,316	-78.8%
Granite	1,222,419	525,307	-57.0%
Iron	200,312	47,717	-76.2%
Jordan	2,038,359	692,072	-66.0%
Juab	51,823	9,700	-81.3%
Kane	32,061	7,571	-76.4%
Millard	110,049	14,650	-86.7%
Morgan	87,752	12,132	-86.2%
Nebo	583,365	152,159	-73.9%
North Sanpete	63,559	10,326	-83.8%
North Summit	79,705	5,482	-93.1%
Park City	127,505	80,411	-36.9%
Piute	6,742	2,322	-65.6%
Rich	57,374	3,317	-94.2%
San Juan	72,050	15,317	-78.7%
Sevier	112,808	23,940	-78.8%
South Sanpete	80,139	12,281	-84.7%
South Summit	42,534	7,015	-83.5%
Tintic	14,088	2,434	-82.7%
Tooele	202,706	63,792	-68.5%
Uintah	173,095	27,321	-84.2%
Wasatch	312,529	23,977	-92.3%
Washington	325,079	149,628	-54.0%
Wayne	16,272	3,878	-76.2%
Weber	516,710	213,110	-58.8%
Salt Lake	246,085	196,788	-20.0%
Ogden	165,680	60,319	-63.6%
Provo	279,102	77,874	-72.1%
Logan	199,022	48,721	-75.5%
Murray	369,229	58,582	-84.1%
Charter Schools	226,124	97,429	-56.9%
Other	0	0	
Unallocated	(2,161)	12,197	
State Total	12,010,853	3,975,546	-66.9%

Notes:

The FY 2008 distribution figures are estimates based on information available at the beginning of the fiscal year. These distributions may change prior to the end of the fiscal year.

The 2009 COBI will reflect the 2008 actual MSP distributions.

In FY 2008, Concurrent Enrollment was made a categorical program.

Source: Utah State Office of Education, Finance and Statistics Section.

Minimum School Program Distributions. FY 2007 Final and FY 2008 Summer Update.

Prepared by: Office of the Legislative Fiscal Analyst (11/07BL).

Table 7-4

CONCURRENT ENROLLMENT

Function	<p>The Concurrent Enrollment program was established to enable high school students to complete high school graduation requirements and earn college credit at the same time. Most often, students participate in the program during their senior year in high school. As college-level courses, concurrent classes provide students the ability to do advanced work during high school. College credits earned through the programs “shall be accepted for transfer of credit purposes as if they had been obtained at any public institution of higher education within the state system.”⁶⁰</p> <p>Statute requires courses to be taught by college or university faculty. Public school educators may also teach concurrent courses if they are approved as an adjunct faculty member at one of the state’s colleges or universities.</p> <p>During the 2007 General Session, the Legislature passed House Bill 79 “Concurrent Enrollment Amendments” (Holdaway, K.) which separated concurrent enrollment from the other Accelerated Learning programs. Establishing the Concurrent Enrollment as its own categorical program assists Legislators in tracking appropriations over time and adjusting program funding levels independent of other accelerated learning programs.</p> <p>In addition to creating a new categorical program, H.B. 79 requires that the annual appropriation for Concurrent Enrollment programs increase each year based on the increase in the value of the WPU. The bill also adjusted the distribution formula for allocating revenues to school districts and higher education institutions.</p>
Formula	<p>Appropriated revenue is shared between the public and higher education systems. Statute requires that 60 percent of appropriated revenues be allocated to local school districts and charter schools. The remaining 40 percent is allocated to the State Board of Regents for distribution to participating colleges and universities.</p>
Statutory Authority	<p>The following statutes govern the Concurrent Enrollment Program.</p> <ul style="list-style-type: none"> ➤ UCA 53A-15-101 – details the cooperation between the State Board of Education and the State Board of Regents in providing higher education courses in the public schools. ➤ UCA 53A-17a-120.5 – details the distribution of revenue appropriated to support the Concurrent Enrollment program.
Funding Detail	<p>The following table details the estimated distribution of Concurrent Enrollment funds in FY 2008 among school districts and charter schools. In FY 2008, more than \$9.2 million was allocated to support concurrent enrollment. The \$3.6 million in unallocated revenues shown in the table below represents the 40 percent allocation to higher education.</p>

⁶⁰ UCA 53A-15-101. Higher education courses in the public schools. Cooperation between public and higher education.

School Districts & Charter Schools	Concurrent Enrollment		
	FY 2007	FY 2008	Percent Change
	Allocation	Allocation	
Alpine	0	774,151	N/A
Beaver	0	18,379	N/A
Box Elder	0	128,622	N/A
Cache	0	339,992	N/A
Carbon	0	15,291	N/A
Daggett	0	4,718	N/A
Davis	0	383,070	N/A
Duchesne	0	86,942	N/A
Emery	0	35,767	N/A
Garfield	0	9,728	N/A
Grand	0	17,884	N/A
Granite	0	505,256	N/A
Iron	0	101,768	N/A
Jordan	0	931,113	N/A
Juab	0	28,864	N/A
Kane	0	16,456	N/A
Millard	0	64,602	N/A
Morgan	0	50,301	N/A
Nebo	0	291,963	N/A
North Sanpete	0	35,709	N/A
North Summit	0	49,340	N/A
Park City	0	36,874	N/A
Piute	0	3,000	N/A
Rich	0	36,117	N/A
San Juan	0	37,719	N/A
Sevier	0	60,845	N/A
South Sanpete	0	45,641	N/A
South Summit	0	23,913	N/A
Tintic	0	7,806	N/A
Tooele	0	99,350	N/A
Uintah	0	98,826	N/A
Wasatch	0	191,972	N/A
Washington	0	122,069	N/A
Wayne	0	8,185	N/A
Weber	0	211,254	N/A
Salt Lake	0	35,796	N/A
Ogden	0	72,612	N/A
Provo	0	139,137	N/A
Logan	0	102,962	N/A
Murray	0	212,187	N/A
Charter Schools	0	93,117	N/A
Other	0	0	
Unallocated	0	3,686,199	
State Total	0	9,215,497	N/A

Notes:

The FY 2008 distribution figures are estimates based on information available at the beginning of the fiscal year. These distributions may change prior to the end of the fiscal year.

The 2009 COBI will reflect the 2008 actual MSP distributions.

Source: Utah State Office of Education, Finance and Statistics Section.

Minimum School Program Distributions. FY 2007 Final and FY 2008 Summer Update.

Prepared by: Office of the Legislative Fiscal Analyst (11/07BL).

Table 7-5

CHAPTER 8 MSP – RELATED TO BASIC PROGRAMS – OTHER PROGRAMS

ELECTRONIC HIGH SCHOOL**Function**

The Electronic High School began operation in 1994. Students may enroll in the EHS to make up school credit, take courses not offered through their high schools, to take extra credit hours to graduate early. The EHS enrolls students from Utah as well as students from other states or countries. Utah students may enroll in the EHS without charge; students outside Utah pay a \$50 fee for each course each quarter.

Courses offered through the EHS are correlated to the state core curriculum. The EHS offers competency based instruction and provides an open-entry open-exit curriculum. “With a few exceptions, students are able to enroll any day of the year and work at their own pace until the course is completed. We expect students to complete a course within twelve months, but extensions can be granted.”⁶¹ Utah public school students wishing to enroll in the EHS must meet with their school counselor to ensure EHS courses they plan on taking meet graduation requirements.

Formula

School districts and charter schools do not receive EHS funding, rather all appropriated revenue supports the maintenance and operation of the EHS. Davis School District acts as the fiscal agent for the EHS.

Statutory Authority

The Electronic High School is governed by the following statute.

- UCA 53A-17a-131.15 – provides that the revenue appropriated to support the Electronic High School shall be distributed to the school according to rules established by the Board.

Administrative Rule R277-725-3 was passed by the State Board of Education. The rule provides administrative procedures associated with the governance of the Electronic High School.

Funding Detail

In FY 2007, the Legislature appropriated \$1.3 million to support Utah’s Electronic High School. EHS funding directly supports the operation of the high school at the Utah State Office of Education and is not allocated to school districts or charter schools. The total appropriation approved by the Legislature for the program increased by \$700,000 in FY 2008, for a total of \$2 million.

⁶¹ Information retrieved from the Utah State Office of Education – Electronic High School website on December 3, 2006.
<http://ehs.uen.org/about.html>

SCHOOL LAND TRUST PROGRAM**Function**

The School LAND (Learning And Nurturing Development) Trust Program, often referred to as School Trust Lands, was established by the Legislature in the 1999 General Legislative session. In exchange for not taxing federal land, the U.S. Congress “gave lands to Utah schools at statehood. The lands are held in a legal trust for our schools. Schools own 3.3 million acres. The lands are managed by the School and Institutional Trust Lands Administration and must, by law, be used to generate money for our schools. The money is put in a permanent savings account, which is never spent, but invested”⁶² by the State Treasurer.

The interest and dividends earned of the permanent school fund are distributed to local schools to provide resources to improve student academic achievement as outlined in the school’s academic improvement plan. Law requires each school to form a School Community Council which prepares the school improvement plan. Plans identify the academic needs of a school and provide a solution to these needs by using the annual School LAND Trust dividend allocated to the school. Local school boards approve each of the school generated academic improvement plans.

Formula

Ten percent of program revenue is distributed to districts and charter schools as a program base. The remaining 90 percent is distributed proportionally as determined by prior year fall enrollment.

Statutory Authority

The following statute governs the State contribution to the School LAND Trust program.

- 53A-16-101.5 – establishes the School LAND Trust program. Details the funding source for program appropriations and outlines the formula used to distribute funds to local schools. The statute also provides direction to local school districts in distributing allocated revenues among district schools. Finally, the statute requires the creation of School Community Councils in order to obtain trust land revenues and outlines the duties of the School Community Councils. 5
- 53A-17a-131.17 – provides for the State contribution to the School LAND Trust Program. Appropriations to the program, based on the amount of interest and dividend revenue collected, may be made “up to a maximum of an amount equal to 2% of the funds provided for the Minimum School Program.”

Administrative Rule R277-477-3 was passed by the State Board of Education. The rule provides administrative procedures associated with the governance of the School LAND Trust program.

⁶² Information retrieved from the Utah State Office of Education – School Trust Lands website on December 18, 2006.
http://www.schoollandtrust.org/gen_what_slt.php

Funding Detail

The following table details the final distribution of School LAND Trust revenue among the school districts and charter schools in FY 2007 and the estimated distribution in FY 2008. In FY 2007, more than \$18.5 million was distributed directly to local schools through the program. The total revenue allocated in FY 2008 increased to over \$25.3 million.

School Districts & Charter Schools	School LAND Trust Program		
	FY 2007	FY 2008	Percent Change
	Allocation	Allocation	
Alpine	1,824,354	2,494,078	36.7%
Beaver	94,803	129,530	36.6%
Box Elder	389,857	524,560	34.6%
Cache	476,177	649,982	36.5%
Carbon	155,003	213,216	37.6%
Daggett	49,971	68,250	36.6%
Davis	2,073,958	2,789,603	34.5%
Duchesne	174,625	234,322	34.2%
Emery	120,760	162,294	34.4%
Garfield	75,440	102,400	35.7%
Grand	92,658	126,756	36.8%
Granite	2,288,118	3,047,207	33.2%
Iron	312,276	431,556	38.2%
Jordan	2,558,412	3,475,612	35.9%
Juab	109,617	151,502	38.2%
Kane	83,692	113,234	35.3%
Millard	140,805	187,300	33.0%
Morgan	110,819	152,022	37.2%
Nebo	848,714	1,177,021	38.7%
North Sanpete	120,306	162,900	35.4%
North Summit	76,804	104,263	35.8%
Park City	185,898	249,664	34.3%
Piute	54,713	75,183	37.4%
Rich	58,416	80,644	38.1%
San Juan	139,376	186,520	33.8%
Sevier	184,209	251,658	36.6%
South Sanpete	134,698	186,736	38.6%
South Summit	88,565	120,775	36.4%
Tintic	53,803	73,016	35.7%
Tooele	428,030	603,783	41.1%
Uintah	224,851	312,548	39.0%
Wasatch	184,696	252,351	36.6%
Washington	798,261	1,117,127	39.9%
Wayne	61,600	84,761	37.6%
Weber	979,705	1,326,366	35.4%
Salt Lake	815,771	1,098,492	34.7%
Ogden	452,363	602,959	33.3%
Provo	476,112	640,360	34.5%
Logan	236,482	321,042	35.8%
Murray	255,065	337,034	32.1%
Charter Schools	419,419	897,750	114.0%
Other	15,086	16,758	
Unallocated	80,000	(2)	
State Total	18,504,288	25,333,133	36.9%

Notes:

The FY 2008 distribution figures are estimates based on information available at the beginning of the fiscal year. These distributions may change prior to the end of the fiscal year.

The 2009 COBI will reflect the 2008 actual MSP distributions.

Source: Utah State Office of Education, Finance and Statistics Section.

Minimum School Program Distributions. FY 2007 Final and FY 2008 Summer Update.

Prepared by: Office of the Legislative Fiscal Analyst (11/07BL).

Table 8-1

CHARTER SCHOOL LOCAL REPLACEMENT FUNDING

Function	The Charter School Local Replacement Funding program was established to provide revenue to charter schools to assist in capital facility needs. Unlike school districts, charter schools do not have bonding authority or the ability to tax their patrons to cover facility costs. The Legislature created a statutory formula that provides an equalized per pupil state appropriation to each charter school to replace some of the locally generated property tax revenue charter schools cannot access.
<i>Original Replacement Formula</i>	<p>Local Replacement Funding originated with the local school districts and the state sharing in the cost of the program. “The state provided an appropriation equal to half the per pupil revenue generated in the school districts through property tax collections. School districts in turn transferred the other half to a charter school when a [district] student enrolled.”⁶³</p> <p>The original cost-sharing program resulted in some funding inequities among charter schools. State revenue only equalized half of the replacement funding received by charter schools. The formula estimated a state-wide per pupil average of locally generated revenue in the school districts. The state provided half of this state-wide average to charter schools.</p> <p>Revenue received by a charter school directly from a student’s home district was not equalized. The mechanism created a benefit for charter schools enrolling students from school districts that collect more local revenue than the state average. Schools enrolling these students received more revenue than if they enrolled students from districts below the state-wide average.</p> <p>In addition to inequities resulting from the original formula, “charter schools became dependent on a district for funding, further straining the relationship between districts and charter schools.”⁶⁴ Charter schools relied on districts to transfer the appropriate level of funding and ensure that funds were received in a timely manner. This dependence resulted in frequent conflicts between districts and charter schools, sometimes resulting in intervention of the USOE.</p>
<i>Current Statutory Program</i>	Legislators created the Charter School Local Replacement Funding Program in an attempt to better equalize per student revenues among charter schools and reduce conflicts between the school districts and charter schools. “During the 2003 General Session, the Legislature changed statute and developed a system that allowed the local school districts to retain all locally generated property tax revenue.” ⁶⁵ This change in statute removed the dependent relationship between school districts and charter schools. “The state now provides an equalized average per student amount directly to the charter school” ⁶⁶ to replace some of the locally generated property taxes collected by a school district. This mechanism removes most funding inequities and

⁶³ Office of the Legislative Fiscal Analyst. Issue Brief: Charter School Local Replacement Funding. January, 2005.

⁶⁴ Office of the Legislative Fiscal Analyst. Minimum School Program - Charter School Local Replacement Funding. Issue Brief to the Public Education Appropriations Subcommittee. December, 2003.

⁶⁵ Office of the Legislative Fiscal Analyst. Issue Brief: Local Replacement Formula Change. January, 2006.

⁶⁶ Ibid.

ensures that each charter school receives the same level of per student funding from the state, regardless of originating district.

Formula

Statute defines a formula that calculates an estimated average local property tax generated per student in each of the 40 school districts. Utah code states “the amount of money provided for each charter school student shall be determined by: (i) calculating the sum of: (A) school districts’ operations and maintenance revenues [general fund] derived from local property taxes, except revenues from imposing a minimum basic tax rate pursuant to Section 53A-17a-135; (B) school districts’ capital projects revenues derived from local property taxes; and (C) school districts’ expenditures for interest on debt.”⁶⁷ This formula provides a replacement to charter school for some of the locally generated property tax revenues retained by the school districts. As a result of this formula, the state provides all revenues (except for some federal funds) supporting charter schools in Utah.

Statutory Authority

The following statutes govern charter schools and the Local Replacement Funding Program. Statutes pertaining to the regulation of charter schools may be found in UCA 53A-1a-501 through UCA 53A-1a-515. Some highlighted statutes are provided below.

- UCA 53A-1a-502.5 – provides authority to the State Charter School Board to authorize new charter schools.
- UCA 53A-1a-503 – establishes the purpose of charter schools through identifying seven statutory principles.
- UCA 53A-1a-503 – clarifies the status of charter schools within the public education system.
- UCA 53A-1a-513 – details general funding provisions for charter schools including the Local Replacement Formula Program, distribution of other Minimum School Program funds, and WPU weighting mechanism used in distributing funds to charter schools based on the grade-levels served by the school. Statute also excludes charter schools from receiving allocations for pupil transportation.

Administrative Rule R277-470-5 and R277-470-6 were passed by the State Board of Education. These rules provide administrative procedures associated with the governance of funds allocated to charter schools and the calculation of state funding for charter schools.

Funding Detail

The following table details the final distribution of charter school local replacement among charter schools in FY 2007 and the estimated distribution in FY 2008. In FY 2007, more than \$21.5 million was distributed directly to charter schools through the program. The total revenue allocated in FY 2008 increased to over \$24 million. Also in FY 2008, Legislators appropriated an additional \$3.5 million, allocated to the charter schools based on ADM.

⁶⁷ Utah Code, Section 53A-1a-513(4).

Charter Schools	Local Replacement Funding & Ongoing ADM Distribution			
	FY 2007	FY 2008		Percent Change
	Allocation	LRF Allocation	ADM Allocation	
Ogden Preparatory Academy	635,387	561,550	87,746	2.2%
American Preparatory Acad.	607,222	547,256	90,123	5.0%
Walden School	114,910	306,300	14,787	179.4%
Freedom Academy	496,818	673,860	67,749	49.3%
AMES	478,793	433,925	65,770	4.4%
CBA Center	37,177	35,735	4,504	8.2%
Pinnacle Canyon Academy	452,882	490,080	55,393	20.4%
City Academy	163,353	153,150	24,608	8.8%
Success School	51,822	61,260	11,957	41.3%
Soldier Hollow School	161,100	157,234	14,473	6.6%
Tuacahn Performing Arts	246,719	239,935	33,273	10.7%
Uintah River High	65,341	53,092	11,016	-1.9%
John Hancock	205,036	183,780	30,197	4.4%
Thomas Edison	443,869	434,946	61,224	11.8%
Timpanogas Academy	532,869	510,500	85,022	11.8%
Salt Lake Arts Academy	276,010	250,145	41,565	5.7%
Fast Forward High	227,568	204,200	35,033	5.1%
NUAMES	546,387	510,500	62,111	4.8%
Ranches	422,465	396,148	61,730	8.4%
DaVinci Academy	366,136	306,300	38,936	-5.7%
Summit Academy	633,133	918,900	89,951	59.3%
Itineris Early College	158,847	178,675	30,362	31.6%
North Davis Prep. Acad.	574,552	536,025	84,244	8.0%
Moab Community School	39,430	41,861	6,028	21.5%
East Hollywood	421,338	433,925	48,537	14.5%
SUCCESS Academy	218,555	267,502	16,992	30.2%
UCAS	348,111	357,350	30,981	11.6%
Lincoln Academy	613,982	551,340	81,504	3.1%
Beehive Sci & Tech	137,442	255,250	11,529	94.1%
Wasatch Peak Academy	375,148	357,350	54,446	9.8%
North Star Academy	563,286	510,500	76,142	4.1%
Thomas Edison South	502,451	502,332	50,575	10.0%
Reagan Academy	692,842	663,650	97,803	9.9%
American Leadership Acad	1,595,226	1,454,925	185,217	2.8%
Navigator Point	554,273	510,500	80,231	6.6%
Odyssey	500,198	469,660	62,346	6.4%
Intech Collegiate High School	134,062	183,780	31,010	60.2%
Entheos	477,667	490,080	82,693	19.9%
Lakeview Academy	648,906	755,540	127,486	36.1%
Legacy Prep Academy	565,539	510,500	86,139	5.5%
Liberty Academy	359,376	561,550	94,753	82.6%
Monticello Academy	753,677	689,175	116,287	6.9%
Mountainville Academy	697,348	689,175	116,287	15.5%
Paradigm High School	227,568	255,250	43,070	31.1%
Renaissance Academy	686,082	638,125	107,673	8.7%
Channing Hall	718,753	663,650	111,980	7.9%
Spectrum Academy	192,644	153,150	29,459	-5.2%
Syracuse Arts	599,336	536,025	90,446	4.5%
George Washington Acad	466,401	484,975	81,832	21.5%
Noah Webster Academy	564,413	536,025	90,446	11.0%
Salt Lake SPA	0	229,725	38,762	
Open Classroom	0	326,720	55,129	
Canyon Rim	0	484,975	81,832	
Guadalupe Schools	0	96,995	16,367	
Karl G. Maeser	0	204,200	34,455	
C.S. Lewis Academy	0	357,350	60,297	
Dual Immersion Academy	0	357,350	60,297	
Edith Bowen	0	306,300	51,683	
State Total	21,552,450	24,030,256	3,512,488	11.5%

Notes:

The FY 2008 distribution figures are estimates based on information available at the beginning of the fiscal year. These distributions may change prior to the end of the fiscal year.

The 2009 COBI will reflect the 2008 actual MSP distributions.

Source: Utah State Office of Education, Finance and Statistics Section.

Minimum School Program Distributions, FY 2007 Final and FY 2008 Summer Update.

Prepared by: Office of the Legislative Fiscal Analyst (11/07BL).

Table 8-2

CHARTER SCHOOL ADMINISTRATIVE COSTS

Function	Funding administrative functions, particularly the completion of various financial reports, within a charter school remains one of the largest obstacles for a newly formed charter school to overcome. Because each charter school is a local education agency (LEA) each school must generate many of the same reports as a school district. Funding provided through this program is targeted to assist charters in meeting these administrative needs.
<i>History</i>	<p>The Administrative Cost program within the Basic Program provided some assistance to charters prior to FY 2008. However, since the inception of charter school properly assimilating them into the established framework and formulas of the traditional public education system has been complex. The Administrative Cost program is one area where, although integrated with the traditional system, the system does not address the unique characteristics of operating a charter school.</p> <p>Charter schools were treated as one school district under the Administrative Cost program. The formula assumes that as student population increases, a school district is better able to meet administrative functions without direct state support. However, each charter school manages administrative and finance procedures locally on an individual basis. As the entire charter school population increases, the total administrative costs among the schools also increases. This is primarily because more independent schools begin operation. As independent schools, it is more difficult for charter schools to build on economies of scale when compared to a school district.</p>
<i>New Administrative Cost Program for Charter Schools</i>	In FY 2008, the Legislature appropriated revenue to support an administrative cost program targeted for charter schools. The creation of this program removed the eligibility of charter schools to participate in the Administrative Cost program within the Basic Program.
<i>Formula</i>	Appropriated revenue is distributed to charter schools on an equal, per student basis. Each charter school receives \$62 per enrolled student.
Funding Detail	The following table details the final distribution of charter school administrative cost revenue among charter schools in FY 2007 and the estimated distribution in FY 2008. In FY 2007, \$100,000 was distributed directly to charter schools through the program. The total revenue allocated in FY 2008 increased to \$750,000. Preliminary distribution amounts indicate that enrollment in charter schools will not require the entire appropriation. The table shows that nearly \$730,000 will be distributed in FY 2008.

Charter Schools	Charter School Administration		
	FY 2007	FY 2008	Percent
	Allocation	Allocation	Change
Ogden Preparatory Academy	2,948	17,050	478.4%
American Preparatory Acad.	2,817	16,616	489.8%
Walden School	533	9,300	1644.8%
Freedom Academy	2,305	20,460	787.6%
AMES	2,222	13,175	492.9%
CBA Center	172	1,085	530.8%
Pinnacle Canyon Academy	2,101	14,880	608.2%
City Academy	758	4,650	513.5%
Success School	240	1,860	675.0%
Soldier Hollow School	747	4,774	539.1%
Tuacahn Performing Arts	1,145	7,285	536.2%
Uintah River High	303	1,612	432.0%
John Hancock	951	5,580	486.8%
Thomas Edison	2,059	13,206	541.4%
Timpanogas Academy	2,472	15,500	527.0%
Salt Lake Arts Academy	1,281	7,595	492.9%
Fast Forward High	1,056	6,200	487.1%
NUAMES	2,535	15,500	511.4%
Ranches	1,960	12,028	513.7%
DaVinci Academy	1,699	9,300	447.4%
Summit Academy	2,938	27,900	849.6%
Itineris Early College	737	5,425	636.1%
North Davis Prep. Acad.	2,666	16,275	510.5%
Moab Community School	183	1,271	594.5%
East Hollywood	1,955	13,175	573.9%
SUCCESS Academy	1,014	8,122	701.0%
UCAS	1,615	10,850	571.8%
Lincoln Academy	2,849	16,740	487.6%
Beehive Sci & Tech	638	7,750	1114.7%
Wasatch Peak Academy	1,741	10,850	523.2%
North Star Academy	2,614	15,500	493.0%
Thomas Edison South	2,331	15,252	554.3%
Reagan Academy	3,215	20,150	526.7%
American Leadership Acad	7,402	44,175	496.8%
Navigator Point	2,572	15,500	502.6%
Odyssey	2,321	14,260	514.4%
Intech Collegiate High School	622	5,580	797.1%
Entheos	2,216	14,880	571.5%
Lakeview Academy	3,011	22,940	661.9%
Legacy Prep Academy	2,624	15,500	490.7%
Liberty Academy	1,667	17,050	922.8%
Monticello Academy	3,497	20,925	498.4%
Mountainville Academy	3,236	20,925	546.6%
Paradigm High School	1,056	7,750	633.9%
Renaissance Academy	3,183	19,375	508.7%
Channing Hall	3,335	20,150	504.2%
Spectrum Academy	894	4,650	420.1%
Syracuse Arts	2,781	16,275	485.2%
George Washington Acad	2,164	14,725	580.5%
Noah Webster Academy	2,619	16,275	521.4%
Salt Lake SPA	418	6,975	
Open Classroom	0	9,920	
Canyon Rim	0	14,725	
Guadalupe Schools	0	2,945	
Karl G. Maeser	0	6,200	
C.S. Lewis Academy	0	10,850	
Dual Immersion Academy	0	10,850	
Edith Bowen	0	9,300	
State Total	100,418	729,616	626.6%

Notes:

The FY 2008 distribution figures are estimates based on information available at the beginning of the fiscal year. These distributions may change prior to the end of the fiscal year.

The 2009 COBI will reflect the 2008 actual MSP distributions.

Source: Utah State Office of Education, Finance and Statistics Section.

Minimum School Program Distributions. FY 2007 Final and FY 2008 Summer Update.

Prepared by: Office of the Legislative Fiscal Analyst (11/07BL).

Table 8-3

K-3 READING IMPROVEMENT PROGRAM

Function	The K-3 Reading Improvement Program was created during the 2004 General Session. The program set the statewide goal to have all Utah students reading at or above grade level by the time they complete the third grade. There are three funding programs within the K-3 Reading Improvement Program: Base Level, Guarantee Program, and Low Income Students Program. School districts and charter schools “must submit a State Board approved plan for reading proficiency improvement prior to using the program funds.” ⁶⁸ The Utah State Office of Education has drafted a State framework for instruction and intervention to ensure all students progress at an appropriate and successful rate, mitigating the cycle of reading failure.
Formula	<p>The formulas for each of the three funding programs include:</p> <ul style="list-style-type: none"> ➤ Base Level – a base amount as determined by fall enrollment. ➤ Guarantee Program – “\$21 per WPU minus the amount raised by a tax levy of 0.000056,”⁶⁹ or matching funds provided by the district or charter school. ➤ Low Income Program – “\$21 per WPU minus the amount raised by a tax levy of 0.000065,”⁷⁰ or matching funds provided by the district or charter school.
Statutory Authority	<p>The following statute provides the legal framework for the K-3 Reading Improvement Program.</p> <ul style="list-style-type: none"> ➤ UCA 53A-17a-150 – defines the K-3 Reading Improvement Program and establishes the funding mechanisms for each of the three funding programs. The statute also requires school districts to develop plans to meet district determined reading achievement goals. <p>Administrative Rule R277-422 was passed by the State Board of Education. The rule provides administrative procedures associated with the governance of the K-3 Reading Achievement Program.</p>
Funding Detail	The following table details the final distribution of state revenue supporting the K-3 Reading Improvement program among the school districts and charter schools in FY 2007 and the estimated distribution in FY 2008. In FY 2007, the Legislature appropriated \$12.5 million to support the program. The total revenue allocated in FY 2008 increased to \$15 million.

⁶⁸ Utah State Office of Education, Finance and Statistics Section, Minimum School Program Descriptions. November 2006

⁶⁹ Ibid.

⁷⁰ Ibid.

School Districts & Charter Schools	K-3 Reading - State Appropriation		
	FY 2007	FY 2008	Percent Change
	Allocation	Allocation	
Alpine	1,288,040	1,567,298	21.7%
Beaver	53,345	59,271	11.1%
Box Elder	332,828	391,228	17.5%
Cache	414,603	479,977	15.8%
Carbon	83,629	97,007	16.0%
Daggett	26,189	31,326	19.6%
Davis	1,444,025	1,675,390	16.0%
Duchesne	165,323	181,167	9.6%
Emery	63,697	74,215	16.5%
Garfield	61,977	70,187	13.2%
Grand	50,946	59,421	16.6%
Granite	1,811,767	2,017,645	11.4%
Iron	173,458	195,012	12.4%
Jordan	1,151,731	1,303,722	13.2%
Juab	50,062	57,684	15.2%
Kane	42,826	50,350	17.6%
Millard	74,778	86,886	16.2%
Morgan	51,007	60,544	18.7%
Nebo	718,781	850,981	18.4%
North Sanpete	111,574	127,580	14.3%
North Summit	27,651	32,997	19.3%
Park City	30,096	35,792	18.9%
Piute	37,388	51,863	38.7%
Rich	31,882	37,835	18.7%
San Juan	175,660	198,951	13.3%
Sevier	181,749	210,890	16.0%
South Sanpete	147,038	163,070	10.9%
South Summit	33,094	39,221	18.5%
Tintic	44,780	52,354	16.9%
Tooele	387,348	485,361	25.3%
Uintah	111,064	128,378	15.6%
Wasatch	24,390	29,268	20.0%
Washington	319,835	340,665	6.5%
Wayne	49,952	58,856	17.8%
Weber	714,468	859,542	20.3%
Salt Lake	522,761	599,148	14.6%
Ogden	509,649	608,182	19.3%
Provo	346,272	401,339	15.9%
Logan	180,704	216,877	20.0%
Murray	106,791	117,633	10.2%
Charter Schools	346,842	633,871	0.0%
Other	0	0	
Over/(Under)		261,016	
State Total	12,500,000	15,000,000	20.0%

Notes:

The FY 2008 distribution figures are estimates based on information available at the beginning of the fiscal year. These distributions may change prior to the end of the fiscal year.

The 2009 COBI will reflect the 2008 actual MSP distributions.

Source: Utah State Office of Education, Finance and Statistics Section.

Minimum School Program Distributions. FY 2007 Final and FY 2008 Summer Update.

Prepared by: Office of the Legislative Fiscal Analyst (11/07BL).

Table 8-4

PUBLIC EDUCATION JOB ENHANCEMENT PROGRAM – MATH & SCIENCE TEACHER RECRUITMENT

Function	<p>The Public Education Job Enhancement Program (PEJEP) was established to “attract, train, and retain, teachers in Special Education (PreK-12) and secondary school educators (7-12) in math, physics, chemistry, physical science, information technology, and learning technology.”⁷¹ PEJEP contains two award programs for teachers.</p> <ul style="list-style-type: none"> ➤ Advancement Award (Scholarship) – are scholarships to “encourage teachers to earn additional education leading to endorsements, degrees and advanced degrees for secondary teachers in math, physics, chemistry, physical science, information technology, learning technology, and special education PreK-12.”⁷² Receiving a scholarship requires application by a principal or superintendent on behalf of a teacher. ➤ Opportunity Award (Signing Bonus) – a school principal, district superintendent (or their designee) may recommend a signing bonus for a new educator. Newly hired educators working in a public school that “agree to a four (4) consecutive year contract to teach in the subject areas defined in 53A-1a-601(1)”⁷³ qualify to receive a signing bonus. Signing bonus awards are divided into two parts. Educators receive the first half when they sign the contract and the second half is distributed upon the completion of the 4 year commitment. Regulations prohibit a teacher from receiving the signing bonus and scholarship program concurrently.
<i>PEJEP Committee</i>	A Public Education Job Enhancement Committee, including representatives from public education, higher education, private industry, and government, creates rules and administers the PEJEP.
Statutory Authority	<p>The following statutes govern the Public Education Job Enhancement Program.</p> <ul style="list-style-type: none"> ➤ UCA 53A-1a-601 – defines the purpose of the PEJEP program. The statute also determines qualifying teachers, teaching subjects and award program criteria. Further, the statute provides re-payment criteria should a teacher fail to fulfill statutory requirements. ➤ UCA 53A-1a-602 – provides for the creation of the Job Enhancement committee to administer the PEJEP and details committee membership.
Funding Detail	In FY 2007, the Legislature appropriated \$2,500,000 to support the Public Education Job Enhancement Program. Similarly, in FY 2008, the Legislature appropriated \$2,500,000 for the program. However, \$70,000 in appropriated revenue was transferred to the State Office of Education to pay for the administrative functions associated with the program.

⁷¹ Utah State Office of Education, Educator Quality Services. December 2006.

⁷² Ibid.

⁷³ Utah State Office of Education, Educator Quality Services. December 2006.

EDUCATOR SALARY ADJUSTMENT
Function

During the 2007 General Session, the Legislature passed House Bill 382 “Amendments to Education Funding” (Dee, B.). Implementation of the bill provides “salary increases and bonuses for educators and bonuses for classified personnel employed by school districts, charter schools, and the Utah Schools for the Deaf and Blind.”⁷⁴ The ongoing Educator Salary Adjustment was implemented in recognition of the need to attract and retain qualified and dedicated teachers in the public education system.

Educators qualifying for the ongoing salary adjustment and the one-time bonus include: classroom teachers; speech pathologists; librarians or media specialists; preschool teachers; school administrators; mentor teachers; teacher specialists or teacher leaders; guidance counselors; audiologists; psychologists; or social workers. The program envisioned that each qualifying educator would receive the same increase in ongoing salary adjustment and one-time bonus. Through this process, the Legislature provided a greater percent increase to beginning school teachers, in an effort to bring up the average beginning teacher salary in the state.

Program Under-Funding

Following the conclusion of the 2007 General Session, Legislators discovered that the revenue appropriated to support the Educator Salary Adjustment was insufficient to provide \$2,500 for each qualifying educator. According to the Legislative Auditor General, “House Bill 382 will not fulfill the reported legislative intent to provide public educators with a \$2,500 annual pay increase and a \$1,000 one-time bonus. As the bill currently stands, between \$7.2 and \$19.9 million in additional ongoing funds would be needed for the adjustment.”⁷⁵

According to the Legislative Auditor General, this under-funding was caused by “both errors in calculations supporting HB 382 and misunderstandings between all parties involved.”⁷⁶ Specifically, the number of educators was under-estimated by approximately 2,200 full-time equivalents. According to Legislative auditors, this is the result of not counting nearly 2,900 special education teachers, educators from the Utah Schools for the Deaf and Blind, and part-time educators. The Legislative Auditor General stated that this under-count is partially offset by approximately 700 FTEs which were over-counted in the other qualifying classifications.

Finally, some ambiguity emerged in the Legislature’s intent on the per-educator dollar amount of the ongoing adjustment. “Calculations used to determine the ongoing salary adjustment were based on a \$2,000 per educator gross salary adjustment rather than the \$2,500 anticipated by most legislators.”⁷⁷

⁷⁴ House Bill 382, “Amendments to Education Funding” (2007 General Session). Utah State Legislature.

⁷⁵ Legislative Auditor General. “A Limited Review of HB 382 – Educational Salary Adjustments. Number 2007-06, May 2007.

⁷⁶ Ibid.

⁷⁷ Ibid.

Statutory Authority

The following statute governs the Educator Salary Adjustments.

- UCA 53A-17a-153 – defines the purpose of the salary adjustments and details which educators qualify for the adjustment. The statute also provides direction to the State Board of Education on the distribution of the salary adjustment to school districts and subsequently to the educators.

Funding Detail

In FY 2008, the Legislature appropriated \$68.7 million to support the ongoing teacher salary adjustment. Similarly, the Legislature appropriated \$33 million in one-time revenue to provide a one-time bonus for each qualifying educator. In addition, the Legislature appropriated \$7 million to provide bonuses for classified (non-certificated) personnel working in school districts.

RELATED TO BASIC SCHOOL PROGRAM SUMMARY**Funding Detail**

The following table details the final distribution of Related to Basic School Program funding in FY 2007 and the estimated distribution in FY 2008 among school districts and charter schools. This table totals all of the non-WPU driven (below-the-line) programs within the Minimum School Program.

In FY 2007, the Legislature appropriated over \$586.3 million to support the Minimum School Program – Related to Basic Program. In FY 2008, funding supporting the Related to Basic School Program increased in FY 2008 to more than \$736.4 million. The following table does not include the \$68.7 million in ongoing revenue or the \$40 million in one-time revenue appropriated in FY 2008 to support the Educator Salary Adjustments detailed above.

School Districts & Charter Schools	Total Related to Basic Program		
	FY 2007	FY 2008	Percent Change
	Allocation	Allocation	
Alpine	54,175,097	68,039,554	25.6%
Beaver	2,084,469	2,406,507	15.4%
Box Elder	12,612,375	15,277,601	21.1%
Cache	16,010,808	19,731,720	23.2%
Carbon	4,607,064	5,355,563	16.2%
Daggett	667,103	749,427	12.3%
Davis	62,240,297	77,434,858	24.4%
Duchesne	5,429,452	6,525,858	20.2%
Emery	3,155,704	3,789,859	20.1%
Garfield	2,018,376	2,230,337	10.5%
Grand	1,884,300	2,327,025	23.5%
Granite	73,450,414	84,705,313	15.3%
Iron	9,743,455	11,485,570	17.9%
Jordan	77,963,415	95,004,369	21.9%
Juab	2,215,150	2,745,190	23.9%
Kane	2,096,924	2,436,597	16.2%
Millard	4,044,558	4,841,655	19.7%
Morgan	2,414,135	3,007,386	24.6%
Nebo	26,906,597	32,426,256	20.5%
North Sanpete	3,179,923	3,623,867	14.0%
North Summit	1,590,401	1,890,872	18.9%
Park City	4,579,962	5,917,572	29.2%
Piute	1,088,803	1,070,090	-1.7%
Rich	1,098,794	1,236,658	12.5%
San Juan	5,997,463	7,166,660	19.5%
Sevier	5,451,454	6,537,878	19.9%
South Sanpete	4,243,668	4,817,417	13.5%
South Summit	1,767,120	2,183,478	23.6%
Tintic	786,332	923,985	17.5%
Tooele	12,867,359	16,745,439	30.1%
Uintah	7,519,183	8,773,617	16.7%
Wasatch	4,989,758	6,354,391	27.3%
Washington	24,550,227	32,397,503	32.0%
Wayne	1,139,054	1,377,697	21.0%
Weber	30,044,431	37,044,373	23.3%
Salt Lake	28,369,020	33,685,462	18.7%
Ogden	15,381,513	16,520,773	7.4%
Provo	15,122,351	17,199,148	13.7%
Logan	6,312,643	7,546,111	19.5%
Murray	6,365,746	7,829,976	23.0%
Charter Schools	36,303,093	50,713,439	39.7%
Other	2,188,655	3,150,791	
Unallocated	1,675,002	21,225,009	
State Total	586,331,648	736,452,851	25.6%

Notes:

The FY 2008 distribution figures are estimates based on information available at the beginning of the fiscal year. These distributions may change prior to the end of the fiscal year.

The 2009 COBI will reflect the 2008 actual MSP distributions.

Source: Utah State Office of Education, Finance and Statistics Section.

Minimum School Program Distributions. FY 2007 Final and FY 2008 Summer Update.

Prepared by: Office of the Legislative Fiscal Analyst (11/07BL).

Table 8-5

CHAPTER 9 MSP – VOTED AND BOARD LEEWAY PROGRAMS**VOTED LEEWAY PROGRAM****Function**

The Voted Leeway Program has a long history, beginning with the 1954 program authorization by the Legislature. A Voted Leeway “is a state-supported program in which a levy – approved by the school district electorate – is authorized to cover a portion of the costs of operation and maintenance of the state supported Minimum School Program in a school district.”⁷⁸

Revenue generated through a district’s Voted Leeway is free revenue and “may be budgeted and expended under maintenance and operation as authorized by the local school board.”⁷⁹ In order to establish a Voted Leeway, each school district must place the issue for public vote. “A majority of the electors of a school district voting at an election must vote in favor of the leeway.”⁸⁰

Formula

A Voted Leeway “allows a district to levy a tax rate (up to 0.002000, including the Board Leeway levy) to generate property tax and state aid revenue to supplement the district M&O.”⁸¹ The state guarantee is calculated for each school district levying a Voted Leeway. The guarantee is “based on a statutorily set dollar amount per 0.000100 of tax rate per Weighted Pupil Unit (WPU).”⁸²

House Bill 38, “School District Voted Leeway Amendments,” passed by the 2001 Legislature provided for a state guarantee up to a combined tax rate between the Voted and the Board Leeway of .002000. It also indexed the amount of the guarantee to the value of the WPU. During the economic downturn of the early 2000s, the increased guarantee amount was postponed to reduce program costs.

For FY 2007 the Legislature increased the state contribution from a guarantee of \$18.64 to \$20.62 per weighted pupil unit. In FY 2008, the guarantee rate will increase to \$23.07 per WPU. Statute provides that the state guarantee will to increase by increments of .0005 until the guarantee is equal to .010544 times the value of the prior year weighted pupil unit. Estimates indicate that this threshold may occur in FY 2009.

Statutory Authority

The following statute governs the Voted Leeway Program.

- UCA 53A-17a-133 – authorizes the Voted Leeway Program, establishes the state guarantee thresholds, and outlines election procedures for school districts implementing a Voted Leeway.

Administrative Rule R277-422-3 was passed by the State Board of Education. The rule provides administrative procedures associated with the governance of the Voted Leeway Program.

⁷⁸ Utah State Office of Education, Finance and Statistics Section. School District Tax Levies Descriptions, March 1, 2006.

⁷⁹ Ibid.

⁸⁰ Ibid.

⁸¹ Ibid.

⁸² Ibid.

BOARD LEEWAY PROGRAM

Function	<p>The Board Leeway Program allows a local school board to levy a tax to “maintain a school program above the cost of the basic program.”⁸³ Local school boards may levy a state-supported tax rate, up to 0.000400.</p> <p>Statute limits the use of revenue generated by the Board Leeway Program. Local school boards must use generated revenue for class size reduction. However, if a local school board determines that district class sizes are not excessive, it may seek authorization to use program revenue to support other district functions. “If a local school board determines that the average class size in the school district is not excessive, it may use the monies for other school purposes but only if the board has declared the use for other school purposes in a public meeting prior to levying the tax rate.”⁸⁴ Statute also requires schools district to certify to the State Board of Education that class size needs are being met and identify the other school purposes for which Board Leeway revenues will be used before they can use any generated revenue.</p>
<i>Formula</i>	<p>Similar to the Voted Leeway, the Board Leeway contains a state guarantee component. “State aid is calculated for each district based on a statutorily set dollar amount per 0.000100 of tax rate per WPU.”⁸⁵ Please refer to the Voted Leeway formula section for more information on the state guarantee rate.</p>
Statutory Authority	<p>The following statute governs the Board Leeway Program.</p> <ul style="list-style-type: none"> ➤ UCA 53A-17a-134 – provides statutory authorization for the Board Leeway and establishes restrictions on use of generated revenue on class size reduction efforts. The statute also outlines the required procedure districts must follow in order to use generated revenue on other district programs and establishes the state guarantee amount. <p>Administrative Rule R277-422-3 was passed by the State Board of Education. The rule provides administrative procedures associated with the governance of the Board Leeway Program.</p>

BOARD LEEWAY – READING IMPROVEMENT PROGRAM

Function	<p>The Reading Improvement Program discussed in Chapter 8 includes a local property tax component. “Each local school board may levy a tax rate of up to 0.000121 per dollar of taxable value for funding the school district’s K-3 Reading Improvement Program.”⁸⁶ The reading levy is in addition to the other tax levies imposed by the school district and does not require the approval of the district electorate. Generated revenue supports a school district’s reading improvement plan generated under the provisions of the program – mainly to have students reading at grade level by the end of the third grade.</p>
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⁸³ Utah State Office of Education, Finance and Statistics Section. School District Tax Levies Descriptions, March 1, 2006.

⁸⁴ Utah Code, Section 53A-17a-134(1)(b).

⁸⁵ Utah State Office of Education, Finance and Statistics Section. School District Tax Levies Descriptions, March 1, 2006.

⁸⁶ Ibid.

Statute requires that a local school board repeal the reading levy if the district's goals are not achieved. "If after 36 months of program operation, a school district fails to meet goals stated in the district's plan for student reading proficiency as measured by gain scores, the school district shall terminate any levy."⁸⁷ Following one year, the school district may revise its plan for reading achievement, obtain approval from the State Board of Education and reinstate the reading levy.

Please refer to the K-3 Reading Improvement Program in Chapter 8 for more information.

FUNDING DETAIL TABLES

The following tables provide the local revenue detail among school districts for the Voted Leeway, Board Leeway and Board Leeway – K-3 Reading Improvement Program for FY 2007 and FY 2008. Also included is a table detailing the distribution of state guarantee revenues within the Voted and Board Leeway programs.

In FY 2007, local school districts generated over \$223.3 million in local revenues to support the Voted and Board Leeway programs. The Legislature provided nearly \$27.5 million in FY 2007 to fund the Voted and Board guarantee. Local revenues generated to support the programs increased to nearly \$247.9 million in FY 2008. State guarantee revenues also increased substantially to nearly \$41.9 million.

Local school districts generated \$15 million to support the K-3 Reading Improvement program. The allocation of state revenues supporting this program is detailed in the preceding chapter.

⁸⁷ Utah State Office of Education, Finance and Statistics Section. School District Tax Levies Descriptions, March 1, 2006.

School Districts & Charter Schools	Board & Voted Leeway - Local Revenue		
	FY 2007	FY 2008	Percent Change
	Allocation	Allocation	
Alpine	19,239,686	19,621,257	2.0%
Beaver	941,317	828,558	-12.0%
Box Elder	2,362,013	2,333,934	-1.2%
Cache	4,451,565	4,781,431	7.4%
Carbon	2,812,254	2,770,158	-1.5%
Daggett	0	0	0.0%
Davis	25,535,830	24,697,085	-3.3%
Duchesne	1,486,155	1,197,326	-19.4%
Emery	2,778,234	2,667,448	-4.0%
Garfield	167,554	172,900	3.2%
Grand	282,944	282,642	-0.1%
Granite	37,446,973	37,348,802	-0.3%
Iron	2,976,321	3,171,051	6.5%
Jordan	40,398,763	41,265,395	2.1%
Juab	268,251	248,000	-7.5%
Kane	505,298	505,200	0.0%
Millard	1,877,749	1,784,871	-4.9%
Morgan	296,575	250,841	-15.4%
Nebo	7,322,645	7,286,416	-0.5%
North Sanpete	1,014,130	943,423	-7.0%
North Summit	288,617	307,166	6.4%
Park City	13,626,868	14,568,931	6.9%
Piute	52,612	48,840	-7.2%
Rich	413,857	411,759	-0.5%
San Juan	250,839	249,137	-0.7%
Sevier	975,455	973,246	-0.2%
South Sanpete	894,905	858,429	-4.1%
South Summit	1,174,021	1,215,896	3.6%
Tintic	90,441	69,722	-22.9%
Tooele	1,490,682	1,457,274	-2.2%
Uintah	0	0	0.0%
Wasatch	4,175,439	3,875,440	-7.2%
Washington	10,589,980	12,249,340	15.7%
Wayne	43,772	37,541	-14.2%
Weber	9,654,374	9,269,580	-4.0%
Salt Lake	32,988,001	32,833,719	-0.5%
Ogden	4,369,286	4,274,182	-2.2%
Provo	6,042,783	5,748,926	-4.9%
Logan	2,064,147	2,063,176	0.0%
Murray	5,183,121	5,224,789	0.8%
Charter Schools	0	0	0.0%
Other	0	0	0.0%
Over/(Under)	(23,211,869)	0	
State Total	223,321,588	247,893,831	11.0%

Notes:

The FY 2008 distribution figures are estimates based on information available at the beginning of the fiscal year. These distributions may change prior to the end of the fiscal year.

The 2009 COBI will reflect the 2008 actual MSP distributions.

Source: Utah State Office of Education, Finance and Statistics Section.

Minimum School Program Distributions. FY 2007 Final and FY 2008 Summer Update.

Prepared by: Office of the Legislative Fiscal Analyst (11/07BL).

Table 9-1

School Districts & Charter Schools	Board & Voted Leeway - State Revenue		
	FY 2007	FY 2008	Percent Change
	Allocation	Allocation	
Alpine	5,127,030	8,662,901	69.0%
Beaver	0	157,650	0.0%
Box Elder	549,492	961,858	75.0%
Cache	2,831,955	3,452,123	21.9%
Carbon	0	0	0.0%
Daggett	0	0	0.0%
Davis	6,837,894	12,049,465	76.2%
Duchesne	0	469,039	0.0%
Emery	0	0	0.0%
Garfield	12,164	30,704	152.4%
Grand	0	0	0.0%
Granite	0	2,900,406	0.0%
Iron	0	0	0.0%
Jordan	0	0	0.0%
Juab	0	14,737	0.0%
Kane	0	0	0.0%
Millard	0	0	0.0%
Morgan	0	11,746	0.0%
Nebo	3,521,400	5,016,223	42.4%
North Sanpete	272,851	517,670	89.7%
North Summit	0	0	0.0%
Park City	0	0	0.0%
Piute	55,938	80,093	43.2%
Rich	0	0	0.0%
San Juan	144,069	192,276	33.5%
Sevier	356,650	529,047	48.3%
South Sanpete	800,066	1,052,736	31.6%
South Summit	0	0	0.0%
Tintic	257,192	315,011	22.5%
Tooele	530,981	905,714	70.6%
Uintah	0	0	0.0%
Wasatch	0	0	0.0%
Washington	0	0	0.0%
Wayne	8,024	21,560	168.7%
Weber	2,148,215	4,213,825	96.2%
Salt Lake	0	0	0.0%
Ogden	976,443	1,681,869	72.2%
Provo	0	36,974	0.0%
Logan	0	99,869	0.0%
Murray	0	0	0.0%
Charter Schools	0	0	0.0%
Other	0	0	
Over/(Under)	3,037,825	(1,500,214)	
State Total	27,468,189	41,873,282	52.4%

Notes:

The FY 2008 distribution figures are estimates based on information available at the beginning of the fiscal year. These distributions may change prior to the end of the fiscal year.

The 2009 COBI will reflect the 2008 actual MSP distributions.

Source: Utah State Office of Education, Finance and Statistics Section.

Minimum School Program Distributions. FY 2007 Final and FY 2008 Summer Update.

Prepared by: Office of the Legislative Fiscal Analyst (11/07BL).

Table 9-2

School Districts & Charter Schools	K-3 Reading Improvement Program		
	FY 2007	FY 2008	Percent Change
	Allocation	Allocation	
Alpine	1,158,401	1,288,297	11.2%
Beaver	29,048	29,884	2.9%
Box Elder	268,169	282,406	5.3%
Cache	277,613	311,607	12.2%
Carbon	175,549	188,181	7.2%
Daggett	13,305	13,986	5.1%
Davis	1,143,424	1,260,172	10.2%
Duchesne	104,746	120,730	15.3%
Emery	37,595	44,947	19.6%
Garfield	37,265	41,732	12.0%
Grand	63,041	70,902	12.5%
Granite	2,145,810	2,376,287	10.7%
Iron	312,278	354,275	13.4%
Jordan	1,675,938	1,824,884	8.9%
Juab	28,988	32,860	13.4%
Kane	80,888	91,810	13.5%
Millard	151,401	157,571	4.1%
Morgan	34,324	37,133	8.2%
Nebo	513,793	578,686	12.6%
North Sanpete	59,480	61,440	3.3%
North Summit	18,731	20,581	9.9%
Park City	5,457	6,524	19.6%
Piute	3,813	8,806	130.9%
Rich	30,265	32,388	7.0%
San Juan	76,269	79,540	4.3%
Sevier	113,154	117,763	4.1%
South Sanpete	50,561	51,935	2.7%
South Summit	79,100	85,441	8.0%
Tintic	3,355	3,407	1.5%
Tooele	283,815	293,883	3.5%
Uintah	82,898	99,110	19.6%
Wasatch	127,372	0	-100.0%
Washington	683,295	801,371	17.3%
Wayne	18,987	21,079	11.0%
Weber	575,343	624,018	8.5%
Salt Lake	1,437,782	1,489,224	3.6%
Ogden	366,286	322,630	-11.9%
Provo	378,917	414,015	9.3%
Logan	187,969	199,715	6.2%
Murray	216,432	235,929	9.0%
Charter Schools	0	0	0.0%
Other	0	0	
Over/(Under)	1,949,143	924,851	
State Total	15,000,000	15,000,000	0.0%

Notes:

The FY 2008 distribution figures are estimates based on information available at the beginning of the fiscal year. These distributions may change prior to the end of the fiscal year.

The 2009 COBI will reflect the 2008 actual MSP distributions.

Source: Utah State Office of Education, Finance and Statistics Section.

Minimum School Program Distributions. FY 2007 Final and FY 2008 Summer Update.

Prepared by: Office of the Legislative Fiscal Analyst (11/07BL).

Table 9-3

CHAPTER 10 SCHOOL BUILDING PROGRAM**Introduction**

The School Building Program contains three components: the Capital Outlay Foundation Program, the Enrollment Growth Program, and the School Building Revolving Account. These programs assist school districts in providing school facilities and paying debt service.

Statutory Authority

Statutes governing the School Building Program may be found in UCA 53A-21-101 to 53A-21-105. The following bullets highlight the key statutory provisions.

- UCA 53A-21-102 – establishes the Capital Outlay Foundation Program, the Enrollment Growth Program and the Capital Outlay Loan Program. Statute also limits the use of state revenues solely for school district capital outlay and debt service purposes.
- UCA 53A-21-103 – details the qualifications for school district participation in the Capital Outlay Foundation Program which includes levying a tax to support capital outlay and debt service expenditures of a school district. This statute provides rule making authority to the State Board of Education to distribute program funds and develop a distribution formula.
- UCA 53A-21-103.5 – details the qualifications for school district participation in the enrollment growth program. The statute also details a formula to distribute appropriated revenues.
- UCA 53A-21-104 – provides statutory provisions governing the School Building Revolving Account and details the qualifications for districts to meet in order to benefit from the program. School districts must contract with the State Superintendent to repay monies received from the account and levy a tax sufficient to guarantee annual loan repayments. The statute also establishes the Charter School Building Subaccount.
- UCA 53A-21-105 – outlines the state appropriation to the Capital Outlay Foundation Program and the Enrollment Growth Program.

Administrative Rule R277-451 was passed by the State Board of Education. The rule provides administrative procedures associated with the governance of the School Building Program.

Funding Detail

Table 10-1 provides a history of state appropriations to the School Building Program. In FY 2008, the Legislature appropriated a total of \$77,288,900. This includes an ongoing appropriation to the Capital Outlay Foundation Program of \$24,358,000 and a one-time appropriation of \$15,000,000. The Enrollment Growth Program received an ongoing appropriation of \$2,930,900 and a one-time appropriation of \$35,000,000.

Budget History - School Building Program					
	2004	2005	2006	2007	2008
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
Uniform School Fund	29,288,900	27,288,900	27,288,900	27,288,900	27,288,900
Uniform School Fund, One-time	0	0	5,000,000	10,000,000	50,000,000
Total	\$29,288,900	\$27,288,900	\$32,288,900	\$37,288,900	\$77,288,900
Programs					
School Building Program	29,288,900	27,288,900	32,288,900	37,288,900	77,288,900
Total	\$29,288,900	\$27,288,900	\$32,288,900	\$37,288,900	\$77,288,900
Categories of Expenditure					
Other Charges/Pass Thru	29,288,900	27,288,900	32,288,900	37,288,900	77,288,900
Total	\$29,288,900	\$27,288,900	\$32,288,900	\$37,288,900	\$77,288,900

Table 10-1**CAPITAL OUTLAY FOUNDATION PROGRAM****Function**

The Capital Outlay Foundation Program supports “school districts in capital outlay bonding, facilities construction and renovation, and debt service.”⁸⁸ In order to participate in the program, a school district must levy a Capital Outlay Levy to support capital equipment or capital facilities projects and debt service. “If the rate is at least 0.002400 per dollar of taxable value, the district qualifies for full funding; if the rate is less than this amount, the district qualifies for funding proportional to the rate as a percentage of 0.002400.”⁸⁹ School districts may use up to 0.000200 of its capital outlay levy for the maintenance of school plants. If this option is exercised, a maintenance of effort equal to at least the dollar amount expended for the preceding year, plus the average annual percentage increase in the district’s M & O budget for the current year is required.

If a school district elects to issue and sell general obligation bonds to finance its building program, the district must levy a Debt Service tax—which has no ceiling—that will derive at least its general obligation bond principal and interest debt payment annually. The full faith and credit of the school district is pledged. In addition, the State of Utah has placed its full faith and credit behind each school district bond through the School Bond Guarantee Act (53A-28)—a default avoidance program—wherein the State’s bonded indebtedness credit rating is extended to each school district.

⁸⁸ Utah State Office of Education, Finance and Statistics Section. School District Tax Levies Descriptions, March 1, 2006.

Formula The state guarantee provides a “minimum per ADM using available monies in the fund [level of state appropriation] and the assessed valuation per ADM in each school district.”⁹⁰

ENROLLMENT GROWTH PROGRAM

Function The Enrollment Growth Program was established to “provide additional support to those school districts which are experiencing the most pressing needs for facilities due to rapid growth.”⁹¹ In order to qualify for monies under the Enrollment Growth Program, a school district must receive revenue distributed under the Capital Outlay Foundation Program and “have an average net increase in student enrollment over the prior three years.”⁹²

Formula School districts receive Enrollment Growth Program monies in the same proportion that the district’s three-year average net increased enrollment bears to the total three-year net increased enrollment of all the districts which qualify to receive funds under the Enrollment Growth Program.

SCHOOL BUILDING REVOLVING ACCOUNT

Function The School Building Revolving Account provides “short term loans to both school districts and charter schools for the construction and renovation of school buildings.”⁹³ The State Superintendent contracts with school districts to repay monies, with interest, within five years. School districts may use state building monies and/or local revenues to repay loans.

Statute requires the State Superintendent to establish a committee to review loan requests made by school districts, and to “make recommendations regarding approval or disapproval of a loan application. . . . the committee’s recommendation shall include: the recommended amount of the loan; the payback schedule; and the interest rate to be charged.”⁹⁴

Charter Schools The School Building Revolving Account contains a Charter School Building Subaccount. This subaccount includes funds appropriated by the Legislature, loan repayments, and interest earned off of the subaccount. “The State Superintendent shall make loans to charter schools . . . to pay for the costs of constructing or renovating charter school buildings.”⁹⁵ Loans granted under

⁸⁹ Ibid.

⁹⁰ Utah State Office of Education, Finance and Statistics Section. School District Tax Levies Descriptions, March 1, 2006.

⁹¹ Ibid.

⁹² Ibid.

⁹³ Ibid.

⁹⁴ Utah Code, Section 53A-21-104(4)(a).

⁹⁵ Utah Code, Section 53A-21-104(5)(c).

the Charter School Building Subaccount also require committee recommendation similar to the School Building Revolving Account.

CHAPTER 11 UTAH STATE OFFICE OF EDUCATION**Function**

The Utah State Office of Education (USOE) functions as support staff to the State Board of Education and the State Superintendent of Public Instruction. The USOE provides information and direction relating to public education policy, procedure and program implementation. Staff at USOE provides statewide service, support and direction to local school districts, charter schools. USOE guides its services by the following mission: “The mission of the Utah State Office of Education is to facilitate high levels of student achievement and educator quality and to assist schools in their drive toward excellence, through statewide services, leadership, and accountability.” In addition to its mission, USOE continues to develop a strategic plan outlining its role as Utah’s education authority.

The State Board of Education appoints a State Superintendent of Public Instruction to act as the executive officer of the Board and the Superintendent serves at the pleasure of the Board. The Superintendent administers all programs assigned to the State Board of Education. Specifically, the Superintendent acts as the chief liaison with the Legislature and state and federal agencies, creates a strategic plan for Utah’s public education system, coordinates between the State Board of Education and the State Charter School Board, works with higher education to create a seamless education system, and provides final approval of policy and budget matters.

In addition to the State Board of Education and the State Superintendent, the state office of education houses several operating sections whose work maintains the state administration of public education. USOE sections include, Student Achievement and School Success, Data and Business Services, and Law, Legislation and Educational Services. The state office also has two internal services funds used to support USOE’s internal operations. Further detail of USOE sections may be found throughout the remainder of this chapter.

Statutory Authority

Unlike other state agencies, the state office of education does not have specific statutory language creating the office. Specifically, no language in statute states something to the effect of: “There is created a State Office of Education.” However, state level administration of the public education system is detailed throughout statute. Many statutes refer to the state office of education, require the state office to provide reports, specifically direct USOE functions, or provide for USOE administration of certain education programs.

The state level education administration statutes may be found in UCA Title 53A, Chapter 1. Each subsequent Statutory Authority section in this chapter provides highlights of major statutes detailing office functions or specific programs contained in the given USOE Section.

The appointment, duties, and responsibilities of the State Superintendent may be found in the following statutes.

- UCA 53A-1-301 – Provides guidelines for the appointment of the State Superintendent of Public Instruction and outlines the qualifications and duties of the Superintendent.
- UCA 53A-1-303 – This statute directs the state superintendent to give advice and provide opinions to local school boards, superintendents, and other school officers on public education matters.

Funding Detail

Although the total State Office of Education budget nears \$273 million, the actual operating budget of USOE is significantly less. Of the total revenue in FY 2007, over 87 percent was passed on to the local school districts and charter schools. The remaining 13 percent funded the operations of the USOE.

The USOE acts as the fiscal agent for most federal support programs and grants administered by the U.S. Department of Education. The federal funding that supports education programs at the local level flows through the USOE. Federal funds made up 86 percent of the USOE budget in FY 2007.

Table 11-1 details the total USOE budget. Further detail on the USOE operating sections may be found throughout chapter 11.

Budget History - State Board of Education - State Office of Education					
	2004 Actual	2005 Actual	2006 Actual	2007 Actual	2008 Appropriated
Sources of Finance					
General Fund	0	0	0	0	1,500,000
General Fund, One-time	0	1,400,000	2,585,900	7,500,000	900,000
Uniform School Fund	22,806,900	21,349,400	20,886,400	21,674,900	26,214,800
Uniform School Fund, One-time	0	68,900	716,000	8,702,300	1,432,000
Federal Funds	182,354,500	210,282,100	228,431,800	228,319,900	234,913,100
Dedicated Credits Revenue	5,541,200	5,711,900	5,674,300	5,232,400	5,932,000
Federal Mineral Lease	1,459,200	1,932,700	2,896,200	912,100	1,110,500
GFR - Substance Abuse Prevention	396,500	490,000	494,100	494,500	495,900
USFR - Interest and Dividends Account	0	0	80,000	81,900	83,300
USFR - Professional Practices	72,000	90,700	226,100	0	2,000
Transfers	0	0	59,500	800	0
Transfers - Interagency	278,200	217,900	391,100	725,500	359,800
Transfers - State Office of Education	183,800	26,000	0	0	31,300
Beginning Nonlapsing	4,533,500	8,330,700	10,101,800	12,003,800	5,303,300
Closing Nonlapsing	(8,330,700)	(10,101,800)	(12,144,400)	(21,960,500)	(5,303,300)
Lapsing Balance	0	(1,114,000)	(15,700)	0	0
Total	\$209,295,100	\$238,684,500	\$260,383,100	\$263,687,600	\$272,974,700
Programs					
Board of Education	1,628,300	8,915,100	1,374,900	2,396,900	1,484,700
Student Achievement	146,266,500	139,530,900	233,746,300	243,864,000	236,380,400
Data and Business Services	6,984,800	4,993,200	4,712,100	5,008,600	9,767,200
Law, Legislation and Education Services	54,415,500	85,245,300	20,549,800	12,418,100	25,342,400
Total	\$209,295,100	\$238,684,500	\$260,383,100	\$263,687,600	\$272,974,700
Categories of Expenditure					
Personal Services	12,601,000	13,784,000	15,269,400	16,973,700	18,617,800
In-State Travel	241,600	276,200	270,500	263,900	270,500
Out of State Travel	174,400	228,600	228,300	269,200	228,300
Current Expense	13,022,000	13,996,800	15,572,300	17,837,400	15,680,200
DP Current Expense	1,141,800	1,886,300	1,432,000	747,900	1,432,000
DP Capital Outlay	15,100	261,900	69,200	70,300	69,200
Capital Outlay	20,700	0	0	9,500	0
Other Charges/Pass Thru	182,078,500	208,250,700	227,541,400	227,515,700	236,676,700
Total	\$209,295,100	\$238,684,500	\$260,383,100	\$263,687,600	\$272,974,700
Other Data					
Budgeted FTE	192.0	194.0	218.0	223.5	223.9
Vehicles	7	7	7	7	7

Table 11-1

Special Funding

The State Office of Education receives revenue from two restricted sources. Funds received from the General Fund – Substance Abuse Prevention account supports substance abuse prevention and education programs in the schools. The Uniform School Fund – Professional Practices restricted revenue supports the processing of teacher licenses and the Utah Professional Practices Advisory Commission.

Restricted Funds Summary - State Board of Education				
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2007 Balance
Substance Abuse Prevention	UCA 63-63a-5	Surcharge on all criminal fines, penalties, and forfeitures imposed by the courts. The surcharge is 85% upon conviction of a felony, class A & class B misdemeanor, and drunk/reckless driving. A 35% surcharge is added to any other offense not exempted by statute.	USOE receives 2.5%, not to exceed Legislative appropriation, for substance abuse prevention and education programs for students.	\$1
Uniform School Fund: Professional Practices Restricted Subfund	UCA 53A-6-105	Fee revenue paid by educators seeking a new, reinstated, or renewal license or endorsement from the State Board of Education	To pay the costs of issuing licenses, collecting fees, and the operations of the Utah Professional Practices Advisory Commission. The program using revenues from this subfund was moved to a separate line-item in FY 2008. This information is repeated in the chapter on Educator Licensing.	\$282,200

Table 11-2

STATE BOARD OF EDUCATION**Function**

The State Board of Education directs education policy and makes rules governing education administration. The Board has three standing committees: Curriculum and Instruction; Law and Policy; and Finance. The board also has an audit committee that meets as needed.

Seventeen Board members make up the Utah State Board of Education. Fifteen members represent electoral districts, and two members are appointed by the State Board of Regents as non-voting members of the Board. The State Board of Education has two full time staff positions, an administrative assistant and an internal auditor. The budget presented below provides for board members' per diem, travel and other related expenses, as well as board member and staff salaries.

In its Vision and Mission Statement, the Board identified four education goals. These goals are:

1. Continue to actively advocate for increased funding to provide quality education for all children and meet the demands of growing enrollment.

2. Promote the achievement of high standards of learning for each child, partnering with family, educators, and community.
3. Ensure an adequate supply of quality teachers for all Utah children.
4. Improve the English proficiency and academic achievement of Utah's ESL students.

Statutory Authority

Article 10, Section 3 of the Utah Constitution establishes the State Board.

- Utah State Constitution Article X, Section 3- In addition to vesting the “general control and supervision” of public education in the State Board, this section directs that the membership and election of board members be directed by statute and provides for the appointment of the State Superintendent of Public Instruction.

The following statutes detail specific functions of the State Board:

- UCA 20-14-101 et. seq.– Provides the statutory requirements for the nomination and election of the State Board of Education, provides the official boundary maps, and details how Board vacancies are handled.
- UCA 53A-1-101 – Details the members of the State Board of Education as provided in UCA 20-14-101. In addition to the 15 State Board members statute provides for two non-voting members to represent the State Board of Regents.
- UCA 53A-1-201 et. seq. – Sections 201 – 204 provide for the operations of the Board. This statute provides for board member, removal, compensation, insurance, quorum requirements, etc.
- UCA 53A-1-401 – Defines the powers of the State Board of Education as well as defines “general control and supervision” as used in Article X, Section 3, of the Utah State Constitution.

UCA 53A-1-402 – Requires the State Board of Education to establish minimum standards for Utah's public schools.

Funding Detail

Table 11-3 details the budget for the State Board of Education for the past 5 years. The Uniform School Fund contributes the largest share to the State Board budget.

The budget detailed below provides for Board member per diem, travel, and other expenses incurred while performing board duties. The budget also includes the salaries and benefits for the Board's three full time staff.

In FY 2005, the State Charter School Board was part of the Utah State Office of Education line-item. The federal funds in FY 2005 were received by the State Charter School Board. Further for FY 2005, two of the four FTE in the chart below supported the State Charter School Board. These FTE were transferred to the newly created State Charter School Board line-item in FY 2006. Only a small portion of Uniform School Fund revenues supported these positions. The majority of revenue supporting these two FTE comes from federal funds.

Budget History - State Board of Education - State Office of Education - Board of Education					
	2004	2005	2006	2007	2008
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund, One-time	0	1,400,000	2,585,900	0	0
Uniform School Fund	4,344,500	2,011,300	621,100	2,017,400	1,359,700
Uniform School Fund, One-time	0	1,000	0	4,891,000	0
Federal Funds	0	6,530,500	0	1,889,000	0
Federal Mineral Lease	826,300	1,079,400	2,101,500	0	125,000
Transfers - Interagency	0	77,900	0	0	0
Beginning Nonlapsing	251,600	3,656,400	2,907,500	2,812,800	0
Closing Nonlapsing	(3,794,100)	(4,792,000)	(6,841,100)	(9,213,300)	0
Lapsing Balance	0	(1,049,400)	0	0	0
Total	\$1,628,300	\$8,915,100	\$1,374,900	\$2,396,900	\$1,484,700
Categories of Expenditure					
Personal Services	438,300	579,800	479,900	546,900	586,300
In-State Travel	29,200	35,300	32,200	25,500	32,200
Out of State Travel	17,900	33,500	26,700	49,600	26,700
Current Expense	655,100	905,400	565,900	1,041,300	565,800
DP Current Expense	102,200	79,000	52,600	9,300	52,600
DP Capital Outlay	7,100	0	28,800	57,600	28,800
Other Charges/Pass Thru	378,500	7,282,100	188,800	666,700	192,300
Total	\$1,628,300	\$8,915,100	\$1,374,900	\$2,396,900	\$1,484,700
Other Data					
Budgeted FTE	2.0	4.0	8.4	2.4	3.0

Table 11-3

STUDENT ACHIEVEMENT AND SCHOOL SUCCESS**Function**

The Student Achievement and School Success (SASS) division provides leadership and support to local school districts, regional service centers, public and private schools, post-secondary educational instructors, parents, teachers, and educational agencies. It accounts for approximately eighty-five percent of the total Utah State Office of Education budget.

The SASS division contains the following sections.

Curriculum and Instruction – The section assists districts with individual subject planning and curriculum development. It defines, develops, disseminates, and implements core curriculum standards and other curriculum requirements of the State Board or the Legislature.

Career and Technical Education – CTE provides leadership and assistance to school districts and Applied Technology Colleges regarding secondary education. It develops curricula for secondary CTE programs and works with local employers to ensure training is relevant to employer needs. CTE works with the Utah College of Applied Technology in administering CTE to high school students.

Evaluation and Assessment – The section oversees the statewide testing and evaluation of students. It develops standardized tests, provides training to district testing directors, and supervises the evaluation of standardized tests. This section administers Utah Performance Assessment System for Students (U-PASS), the state's assessment and accountability system and its components.

Services for at Risk Students – Administers targeted statewide programs for students that require additional services in order to succeed. Major programs include Special Education, Alternative Language Services, Dropout Prevention, Youth in Custody, and Homeless Education.

No Child Left Behind (NCLB) – The federal No Child Left Behind Act of 2001 revised the Elementary and Secondary Education Act with the goal to provide all school children with the opportunity to achieve academic success. The Act indicates the following four principles: accountability for results, expanded state and local flexibility, expanded choices for parents, and focusing resources on proven educational methods, particularly in reading instruction.

Statutory Authority

The division oversees many of the major initiatives passed by the Legislature or the federal government. These two largest initiatives include U-PASS and the federal No Child Left Behind Act. The following statutory references detail, in part, Student Achievement and School Success functions.

- UCA 53A-1-402 – Requires the State Board of Education to establish minimum standards for Utah's public schools.
- UCA 53A-1-402.6 – Directs the State Board to establish a core curriculum, define minimum standards related to curriculum and

instruction requirements, and identify basic skills and competency requirements of students.

- UCA 53A-1-601 et. seq. – Sections 601–611 provides guidelines for the creation, implementation, and oversight of U-PASS.
- UCA 53A-13-101 et. seq. – Sections 101–109 provide statutory requirements for specific items as they relate to the core curriculum. Some examples include: Maintaining constitutional freedom in the public schools; expressions of belief; civic and character education.
- UCA 53A-13-201 et. seq. – Sections 201–209 establish and define the Drivers Education Program in the schools.
- UCA 53A-17a-113 – Appropriates funding for and defines what applied technology programs may receive funding.

Funding Detail

Division revenue comes primarily from the federal government, accounting for approximately 93 percent of the section budget. Revenue from the Uniform School Fund provides for the majority of division operating expenses. The division receives General Fund Restricted revenue (detailed in the Special Funding section), Federal Mineral Lease Revenue, and Dedicated Credits Revenue. The Utah Education Network (UEN) provides funding for personnel and services for technology training at the USOE. In addition to these UEN services, the division generates Dedicated Credits through private grants, grants from other state agencies, funds for the Safe and Drug Free Schools program, and vocational education.

Table 11-4 below provides further detail for the SASS division. The five-year history shows a couple of funding irregularities primarily in the state and federal revenue sources.

Budget History - State Board of Education - State Office of Education - Student Achievement					
Sources of Finance	2004 Actual	2005 Actual	2006 Actual	2007 Actual	2008 Appropriated
Uniform School Fund	13,412,800	14,081,200	14,398,800	14,454,900	14,714,800
Uniform School Fund, One-time	0	33,200	300,000	2,806,100	349,000
Federal Funds	131,518,100	124,210,000	215,756,700	222,539,900	219,610,600
Dedicated Credits Revenue	240,000	142,900	161,000	9,300	164,600
Federal Mineral Lease	420,900	618,300	553,000	628,100	685,700
GFR - Substance Abuse Prevention	396,500	490,000	494,100	494,500	495,900
Transfers - Interagency	278,200	140,000	359,800	702,800	359,800
Beginning Nonlapsing	0	505,600	2,376,100	2,806,700	637,500
Closing Nonlapsing	0	(641,900)	(637,500)	(578,300)	(637,500)
Lapsing Balance	0	(48,400)	(15,700)	0	0
Total	\$146,266,500	\$139,530,900	\$233,746,300	\$243,864,000	\$236,380,400
Categories of Expenditure					
Personal Services	6,938,300	7,302,700	9,093,600	10,624,800	11,375,500
In-State Travel	155,800	173,600	195,000	202,200	195,000
Out of State Travel	109,200	114,900	148,400	159,600	148,400
Current Expense	10,613,100	10,828,200	13,274,900	14,559,900	13,382,600
DP Current Expense	399,600	747,300	671,000	278,000	671,000
DP Capital Outlay	8,000	34,000	13,200	12,700	13,200
Capital Outlay	0	0	0	9,500	0
Other Charges/Pass Thru	128,042,500	120,330,200	210,350,200	218,017,300	210,594,700
Total	\$146,266,500	\$139,530,900	\$233,746,300	\$243,864,000	\$236,380,400
Other Data					
Budgeted FTE	112.0	112.0	130.0	138.0	137.9

Table 11-4

In FY 2001, USOE began a significant organizational restructure which combined several programs into the new SASS. For example, prior to FY 2001 Applied Technology Education was a separate division. Federal funds began to increase dramatically from FY 2001 – FY 2002. The State received large federal fund boosts in FY 2002 and FY 2003. Unlike the Uniform School Fund increase, the federal funds have not remained as stable. Implementation of the federal No Child Left Behind program largely explains the dramatic increases in federal revenue.

As mentioned at the beginning of the chapter, the majority of SASS revenue is passed through to local school districts. The pass through expenditure strongly correlates with the federal fund revenue received by the agency. Over 89 percent of the SASS budget was passed through to local districts in FY 2008, leaving approximately 11 percent to fund division operations.

Special Funding

The Student Achievement and School Success division receives General Fund Restricted revenue. The GFR – Substance Abuse Prevention Account is defined in UCA 63-63a-5. Statute provides that 2.5% of the account (not to exceed Legislative appropriation) be allocated to the State Office of Education. Funding provides programs in the public schools for: substance abuse prevention and education; substance abuse prevention training for teachers and administrators; and district and school programs to supplement existing local prevention efforts in cooperation with local substance abuse authorities.

Restricted Funds Summary - State Board of Education				
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2007 Balance
Substance Abuse Prevention	UCA 63-63a-5	Surcharge on all criminal fines, penalties, and forfeitures imposed by the courts. The surcharge is 85% upon conviction of a felony, class A & class B misdemeanor, and drunk/reckless driving. A 35% surcharge is added to any other offense not exempted by statute.	USOE receives 2.5%, not to exceed Legislative appropriation, for substance abuse prevention and education programs for students.	\$1

Table 11-5

DATA AND BUSINESS SERVICES**Function**

The Division of Data and Business Services is responsible for providing the State Office of Education and the forty school districts with support in the areas of finance accounting, computer services, and Human Resources.

The following sections are contained within Data and Business Services: Computer Services, Human Resource Management, Internal Accounting and School Finance and Statistics.

Statutory Authority

As with all the USOE divisions, Data and Business Services is not defined in statute. As stated above, the division is responsible for accounting, allocation of funds, and statistical information. Fund allocation, tracking, and reporting constitute the majority of division activities. The following statutory references detail programs which prescribe fund allocation, annual reports, or statistical estimations that are done by the section.

- UCA 53A-1-301 – Requires the Superintendent to provide a complete statement of fund balances; a complete statement of state funds allocated to each of the school districts; items such as fall enrollments, average membership, high school graduates, licensed and classified employees, pupil-teacher ratios, class sizes, average salaries; requires all school districts to comply with data collection and management procedures; and with the approval of the board, prepare and submit to the governor a budget for the board to be included in the budget that the governor submits to the Legislature.
- UCA 53A-16-101.5 – Provides fund allocation and reporting requirements for the State Board of Education in relation to the School LAND Trust Program.
- UCA 53A-17-101 et. seq. – Chapter 17a “Minimum School Program” requires the State Board of Education to administer MSP programs.

Funding Detail

The Uniform School Fund provides the majority of revenue for division operations. Revenue from the federal government fluctuates as grants or programs are obtained or expire. Dedicated credits, generated through billings to the school districts, comprise the remaining revenue that supports the Data and Business Services division. School districts purchase computer programming, software, and other services to support their accounting and student information systems. The billings cover the related IT costs at USOE.

Table 11-6 below details the division budget for the past 5 years. The table shows that nearly half of the revenue supporting the Data and Business Services division gets passed through to the local education agencies.

Budget History - State Board of Education - State Office of Education - Data and Business Services					
	2004	2005	2006	2007	2008
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
Uniform School Fund	3,669,500	3,892,000	4,073,600	4,304,700	8,182,700
Uniform School Fund, One-time	0	24,200	0	75,400	653,000
Federal Funds	2,812,400	737,100	475,300	479,300	768,300
Dedicated Credits Revenue	502,900	339,900	131,900	126,500	131,900
Transfers - Interagency	0	0	31,300	22,700	0
Transfers - State Office of Education	0	0	0	0	31,300
Total	\$6,984,800	\$4,993,200	\$4,712,100	\$5,008,600	\$9,767,200
Categories of Expenditure					
Personal Services	2,980,700	3,139,100	3,229,900	3,631,800	3,821,500
In-State Travel	19,400	19,200	15,400	16,100	15,400
Out of State Travel	15,400	26,200	24,100	37,200	24,100
Current Expense	242,200	211,000	305,000	310,500	305,300
DP Current Expense	596,000	867,500	630,900	439,900	630,900
DP Capital Outlay	0	227,900	20,600	0	20,600
Capital Outlay	20,700	0	0	0	0
Other Charges/Pass Thru	3,110,400	502,300	486,200	573,100	4,949,400
Total	\$6,984,800	\$4,993,200	\$4,712,100	\$5,008,600	\$9,767,200
Other Data					
Budgeted FTE	47.0	47.0	42.7	46.3	46.2
Vehicles	7	7	7	7	7

Table 11-6

LAW, LEGISLATION AND EDUCATIONAL SERVICES

Function	<p>The Law, Legislation and Educational Services division provides leadership and support for local school districts, educators, and other education institutions. It combines Educational Equity, Educator Licensing, the Electronic High School, Government and Legislative Relations, Planning and Education Programs, the Utah Education Network, and Public Relations into one division.</p> <p>The division handles teacher licensing, teacher preparation program approval, legal consultation and support, educational equity and training, and fostering the State Strategic Plan within USOE and local school districts.</p>
Statutory Authority	<p>The major statutes referring to functions of Law, Legislation and Education Services deal with educator licensing, evaluation, and standards. The following statutes detail some of the statutory requirements overseen by the division.</p> <ul style="list-style-type: none"> ➤ UCA 53A-1-402.5 – Directs the board of education to establish basic ethical conduct standards for public education employees. ➤ UCA 53A-6-101 et. seq. – Sections 101–702 details the Utah Educator Licensing and Professional Practices Act. This chapter provides licensing requirements for educators, provides teacher classifications, teaching contracts, disciplinary action, etc. ➤ UCA 53A-10-101 et. seq. – Sections 101–111 provide statutory provisions for educator evaluation.
Funding Detail	<p>Similar to the other USOE operating divisions, Law, Legislation and Education Services receives the majority of its revenue from the federal government. Federal grant program revenue such as the Title Programs, Safe and Drug Free Schools, and Teacher Quality are received by the program. The division receives a significant portion of its revenue from Dedicated Credits. The Driver Education Fee assessed when motor vehicles are registered represents the majority of dedicated credits generated by the division. The division also collects fees for educator background checks when a new teacher applies for a license, and out-of-state student fees for the Electronic High School. The remaining division revenue comes from the Uniform School Fund, Federal Mineral Lease, and other small sources.</p> <p>Table 11-7 below details a 5-year history of the division. During the USOE organizational restructure mentioned above, the division was created out of several smaller divisions.</p> <p>In FY 2004, USOE shifted some significant federal grant programs to the division resulting in the sharp increase of federal revenue. The FY 2005 figures have been adjusted to reflect the changes made by the state office.</p>

Budget History - State Board of Education - State Office of Education - Law, Legislation and Education Services					
Sources of Finance	2004 Actual	2005 Actual	2006 Actual	2007 Actual	2008 Appropriated
General Fund	0	0	0	0	1,500,000
General Fund, One-time	0	0	0	7,500,000	900,000
Uniform School Fund	1,380,100	1,364,900	1,792,900	897,900	1,957,600
Uniform School Fund, One-time	0	10,500	416,000	929,800	430,000
Federal Funds	48,024,000	78,804,500	12,199,800	3,411,700	14,534,200
Dedicated Credits Revenue	4,798,300	5,229,100	5,381,400	5,096,600	5,635,500
Federal Mineral Lease	212,000	235,000	241,700	284,000	299,800
USFR - Interest and Dividends Account	0	0	80,000	81,900	83,300
USFR - Professional Practices	72,000	90,700	226,100	0	2,000
Transfers	0	0	59,500	800	0
Transfers - State Office of Education	183,800	26,000	0	0	0
Beginning Nonlapsing	4,281,900	4,168,700	4,818,200	6,384,300	4,665,800
Closing Nonlapsing	(4,536,600)	(4,667,900)	(4,665,800)	(12,168,900)	(4,665,800)
Lapsing Balance	0	(16,200)	0	0	0
Total	\$54,415,500	\$85,245,300	\$20,549,800	\$12,418,100	\$25,342,400
Categories of Expenditure					
Personal Services	2,243,700	2,762,400	2,466,000	2,170,200	2,834,500
In-State Travel	37,200	48,100	27,900	20,100	27,900
Out of State Travel	31,900	54,000	29,100	22,800	29,100
Current Expense	1,511,600	2,052,200	1,426,500	1,925,700	1,426,500
DP Current Expense	44,000	192,500	77,500	20,700	77,500
DP Capital Outlay	0	0	6,600	0	6,600
Other Charges/Pass Thru	50,547,100	80,136,100	16,516,200	8,258,600	20,940,300
Total	\$54,415,500	\$85,245,300	\$20,549,800	\$12,418,100	\$25,342,400
Other Data					
Budgeted FTE	31.0	31.0	36.9	36.8	36.8

Table 11-7

Special Funding

Law, Legislation and Education Services, receives restricted Uniform School Funds from the Professional Practices Restricted Sub-fund. Fees paid by educators to be licensed in Utah under UCA 53A-6-105 are deposited in the Professional Practices Restricted account. Funding generated through licensing fees supports the operations of processing educator licenses and the Utah Professional Practices Advisory Commission.

In FY 2008, the Educator Licensing division of the USOE was moved into its own line-item. This move requires the division to operate entirely from fee revenue and prohibits the USOE from supplementing the operations of the program with state funds.

INDIRECT COST POOL**Function**

The Indirect Cost Pool funds programs and individuals who administer the State Office of Education. In addition to USOE administrative office functions, the Indirect Cost Pool supports accounting, purchasing, and government/public liaison functions of the State Office of Education.

According to Utah code, an internal service fund agency is defined as “an agency that provides goods or services to other agencies of state government or to other governmental units on a capital maintenance and cost reimbursement basis, and which recovers costs through interagency billings.” The Indirect Cost Pool operates by charging other USOE programs to support its functions. The Indirect Cost Pool takes a portion of all federal and state funds in the operating divisions that support personal services. The rates assessed by the Indirect Cost Pool reflect the percentage amounts allowed under U.S. Department of Education grant provisions that allow states to use a portion of the grant to support the state administration of the grant program.

Statute prohibits the Indirect Cost Pool from billing another program unless the Legislature reviews its budget request and authorizes its revenue, rates, and FTE. Further the Indirect Cost Pool may not acquire capital unless such acquisition is authorized by the Legislature.

For FY 2008, the Legislature established the rates for the Indirect Cost Pool as follows:

- 14.6 percent of personal costs supported by restricted funds.
- 17.1 percent of personal costs supported by unrestricted funds.

Statutory Authority

The statutory provision governing Internal Service Funds governs the Indirect Cost Pool.

- UCA 63-38-3.5 – Provides for the governance and review of agency internal service funds. The statute details the process for approval of rates, new internal service funds, capital expenditures, etc.

Funding Detail

The Indirect Cost Pool, as stated above, receives its funding from the operating divisions of the State Office of Education. Revenue for the Indirect Cost Pool is represented as Dedicated Credits – Intra-governmental Revenue.

Budget History - ISF - Public Education - ISF - USOE Indirect Cost Pool - ISF - Superintendent Indirect Cost Pool					
	2004	2005	2006	2007	2008
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
Dedicated Credits - Intragvt Rev	3,236,100	3,833,100	3,904,400	4,282,300	4,103,700
Beginning Nonlapsing	0	0	0	(603,500)	0
Closing Nonlapsing	0	0	0	643,500	0
Total	\$3,236,100	\$3,833,100	\$3,904,400	\$4,322,300	\$4,103,700
Categories of Expenditure					
Personal Services	3,034,300	3,236,600	3,399,200	3,207,200	3,586,700
In-State Travel	5,500	6,000	10,400	7,100	10,400
Out of State Travel	9,100	12,700	13,100	11,600	13,100
Current Expense	366,700	349,700	457,100	918,800	218,300
DP Current Expense	100,000	173,900	183,500	177,600	183,500
Total	\$3,515,600	\$3,778,900	\$4,063,300	\$4,322,300	\$4,012,000
Profit/Loss	(\$279,500)	\$54,200	(\$158,900)	\$0	\$91,700
Other Data					
Budgeted FTE	49.0	49.0	47.0	40.7	43.0
Authorized Capital Outlay	75,000.0	14,800.0	0.0	0.0	14,800.0
Retained Earnings	(\$499,100)	(\$444,900)	\$0	\$0	\$0
Vehicles	1.0	1.0	1.0	0.0	1.0

Table 11-8

INTERNAL SERVICE FUND

Function

The State Board of Education operates an Internal Service Fund to support its print shop and mailroom.

As stated above, Internal Service Funds may not bill another program unless the Legislature reviews the ISF's budget request and authorize its revenue, rates and FTE level. The Legislature must authorize capital outlay funds.

The Legislature adopted the following rates for the USOE – Internal Service Fund for FY 2008.

- Printing: \$19.00 per hour labor
.04 per Copy;
and Cost plus 35 percent on printing supplies
- Mail Room: Cost plus 25 percent on postage.

Statutory Authority

The statutory provision governing Internal Service Funds is detailed below.

- UCA 63-38-3.5 – Provides for the governance and review of agency internal service funds. The statute details the process for approval of rates, new internal service funds, capital expenditures, etc.

Funding Detail

The Internal Service Fund is financed through dedicated credits collected by the program from the Utah State Office of Education operating entities.

Budget History - ISF - Public Education - ISF - USOE Internal Service Fund					
	2004 Actual	2005 Actual	2006 Actual	2007 Actual	2008 Appropriated
Sources of Finance					
Dedicated Credits - Intragvt Rev	914,700	866,300	866,700	873,300	982,900
Beginning Nonlapsing	0	0	0	(88,600)	0
Closing Nonlapsing	0	0	0	132,100	0
Total	\$914,700	\$866,300	\$866,700	\$916,800	\$982,900
Programs					
ISF - State Board ISF	914,700	866,300	866,700	916,800	982,900
Total	\$914,700	\$866,300	\$866,700	\$916,800	\$982,900
Categories of Expenditure					
Personal Services	261,000	267,000	277,900	295,300	394,200
Current Expense	647,100	587,200	530,100	564,800	447,600
DP Current Expense	100	500	200	100	200
Capital Outlay	11,600	12,900	12,800	4,700	12,800
Other Charges/Pass Thru	43,300	47,400	45,700	51,900	45,700
Total	\$963,100	\$915,000	\$866,700	\$916,800	\$900,500
Profit/Loss	(\$48,400)	(\$48,700)	\$0	\$0	\$82,400
Other Data					
Budgeted FTE	8.0	8.0	8.3	6.4	8.0
Authorized Capital Outlay	17,300.0	22,100.0	0.0	0.0	22,000.0
Retained Earnings	(\$6,900)	(\$55,600)	\$0	\$0	\$28,000

Table 11-9

CHAPTER 12 EDUCATOR LICENSING FEES**Function**

Through the Educator Licensing and Professional Practices Act, the legislature established that “the high quality of teachers is absolutely essential to enhance student achievement and to assure education excellence in each classroom in the state’s public schools.”

In the 2004 General Session, the Legislature passed intent language that requested the State Board of Education submit an educator licensing fee plan that provided enough revenue to support the costs of the USOE–Educator Licensing Section. Since this time, the fee schedule has been updated on annual basis to reflect the costs of the program and, thus, reduce the need for any state appropriation for administration.

In the 2007 General Session, the Legislature moved educator licensing into its own line item. This line item contains all revenue from teacher licensing fees deposited into the Professional Practices Restricted Account. In addition to creation of the line item, all FTEs associated with this program were moved from Law, Legislation, and Education line item.

This move requires the Educator Licensing section at the Utah State Office of Education to operate exclusively from fee revenue generated through the licensing process. A separate line-item also prohibits the USOE from supplementing the operation of the division with state revenues, or other revenues available to the agency. In the coming years, the schedule of fees charged to educators in order to obtain licenses will likely fluctuate as the division learns how to manage operations and staff within available revenue.

Statutory Authority

The following statute establishes requirements for the State Board of Education regarding Educator Licensing Fees.

➤ UCA 53A-6-105

- Establishes that the State Board of Education will levy fees for new, renewed, or reinstated license or endorsement for educators.
- Requires that the board “shall pay the expenses of issuing licenses and of Utah Professional Practices Advisory Commission (UPPAC) operations”.
- Outlines that fee payments are credited to the Professional Practices Restricted Subfund in the Uniform School Fund and the board shall cover the costs of collecting license fees from the restricted subfund.
- Submission of an annual report to the Public Education Appropriations Subcommittee is required detailing the fund, fees assessed and collected, and expenditures.

Funding Detail

The table below provides the initial budget of the Educator Licensing line item. In FY 2008, the Legislature appropriated a total of over \$1.4 million in restricted revenue to support the operations of the division. Although the division was a part of the USOE during FY 2007, the USOE submitted a final budget with the division separated from the other USOE operating divisions. Prior to FY 2008, the majority of educator licensing fee revenue was classified as “dedicated credits” and not USFR-Professional Practices revenue.

Budget History - State Board of Education - Educator Licensing					
	2004 Actual	2005 Actual	2006 Actual	2007 Actual	2008 Appropriated
Sources of Finance					
Dedicated Credits Revenue	0	0	0	852,700	0
USFR - Professional Practices	0	0	0	86,100	1,432,800
Total	\$0	\$0	\$0	\$938,800	\$1,432,800
Programs					
Educator Licensing	0	0	0	938,800	1,432,800
Total	\$0	\$0	\$0	\$938,800	\$1,432,800
Categories of Expenditure					
Personal Services	0	0	0	477,900	767,000
In-State Travel	0	0	0	4,300	4,300
Out of State Travel	0	0	0	5,900	5,900
Current Expense	0	0	0	367,400	572,300
DP Current Expense	0	0	0	5,400	5,400
Other Charges/Pass Thru	0	0	0	77,900	77,900
Total	\$0	\$0	\$0	\$938,800	\$1,432,800
Other Data					
Budgeted FTE	0.0	0.0	0.0	11.0	11.0

Table 12-1

Special Funding

The Educator Licensing section at USOE receives restricted Uniform School Funds from the Professional Practices Restricted Sub-fund. Fees paid by educators to be licensed in Utah under UCA 53A-6-105 are deposited in the Professional Practices Restricted account. Funding generated through licensing fees supports the operations of processing educator licenses and the Utah Professional Practices Advisory Commission.

Restricted Funds Summary - State Board of Education, Educator Licensing				
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2007 Balance
Uniform School Fund: Professional Practices Retricted Subfund	UCA 53A-6-105	Fee revenue paid by educators seeking a new, reinstated, or renewal license or endorsement from the State Board of Education	<p>To pay the costs of issuing licenses, collecting fees, and the operations of the Utah Professional Practices Advisory Commission.</p> <p>The program using revenues from this subfund was moved to a separate line-item in FY 2008. This information is repeated in the chapter on the Utah State Office of Education.</p>	\$282,200

Table 12-2

CHAPTER 13 PARENT CHOICE IN EDUCATION PROGRAM**Function**

The Parent Choice in Education Program (H.B. 148) was passed during the 2007 General Session and funds were appropriated for implementation of a state-wide education voucher system. The program provides state funded scholarships for qualifying children to attend an eligible private school. Altogether \$12.2 million was appropriated to fund the program and \$200,000 was appropriated to pay for program administration.

Due to the outcome of voter Referendum 1 passed during the November 6, 2007, election. The Parents Choice in Education Program will not be implemented. All funding appropriated for the program will not be used and will remain in the General Fund.

Statutory Authority

The following statute outlines the requirements for implementation of the Parents for Choice in Education Act:

- UCA 53A-1a-804
 - Establishes that the Parent Choice in Education Program is created to award scholarships to students to attend a private school.
 - Requires that in order for the student to qualify for the scholarship the following guidelines must be met:
 - Student's custodial parent or legal guardian shall reside within Utah; student must meet particular age guidelines as outlined in the statute; income requirements for parents; and must be enrolled as a full-time student in a Utah public school.
 - Outlines that in order for a student to receive a scholarship there must be submission of an application and approval by the Board of Education for the scholarship.
 - Establishes that a student's parent, at any time, may remove the student from a private school and place the student in another eligible private school and retain the scholarship.

Funding Detail

The following table provides detail on the appropriations made in FY 2007 and FY 2008 to support the program. The table indicates that FY 2007 appropriations have lapsed back to the General Fund. Revenue appropriated in FY 2008 will also not be used and will remain in the General Fund.

Budget History - State Board of Education - Parent Choice in Education Act					
	2004 Actual	2005 Actual	2006 Actual	2007 Actual	2008 Appropriated
Sources of Finance					
General Fund	0	0	0	0	9,400,000
General Fund, One-time	0	0	0	100,000	3,000,000
Lapsing Balance	0	0	0	(100,000)	0
Total	\$0	\$0	\$0	\$0	\$12,400,000
Programs					
Administration	0	0	0	0	200,000
Scholarships	0	0	0	0	12,200,000
Total	\$0	\$0	\$0	\$0	\$12,400,000
Categories of Expenditure					
Personal Services	0	0	0	0	12,400,000
Total	\$0	\$0	\$0	\$0	\$12,400,000
Other Data					
Budgeted FTE	0.0	0.0	0.0	0.0	2.0

Table 13-1

CHAPTER 14 STATE CHARTER SCHOOL BOARD

Function	<p>The Legislature passed a Charter School Governance (H.B. 152, 2004 General Session) bill that created the State Charter School Board. The board authorizes and promotes the establishment of charter schools and advises the State Board of Education on charter issues. The State Charter School Board was created as an individual line item during the 2005 General Session.</p> <p>The State Charter School Board consists of seven members appointed by the Governor. Statute details that Charter School Board members must reflect the following qualifications: two members who have expertise in finance or small business management; three members who are appointed from a slate of at least six candidates nominated by Utah's charter schools; and two members who are appointed from a slate of at least four candidates nominated by the State Board of Education. Board member terms last for four years, however, three initial members were appointed for a two-year term.</p> <p>Currently, over 58 charter schools have opened (or will open in the next year.) In fall 2008, over 28,900 students enrolled in charter schools.</p> <p>The Board has a total of four full time staff to support its operations, a staff director and administrative assistant. The State Superintendent appoints the staff director with the consent of the Charter School Board.</p>
Statutory Authority	<p>The following highlight the major statutes dealing with charter schools, and the State Charter School Board.</p> <ul style="list-style-type: none">➤ UCA 53A-1a-501.5 – Creates the State Charter School Board, defines member qualifications, length of term, appointment process, and compensation.➤ UCA 53A-1a-501.6 – Details the powers and duties of the Charter School Board. Powers include the authorization of charter schools, review and monitor charter schools, provide technical assistance to charter schools, and advise the State Board of Education on charter school issues.➤ UCA 53A-1a-501.7 – Provides the process of appointing a staff director to the Charter School Board.➤ UCA 53A-1a-502 – Details the number of charter schools the Charter School Board may authorize.➤ UCA 53A-1a-503 et. seq. – Sections 501– 515 detail statutory provisions relating to charter schools. Statutory provisions include the purpose of charter schools, application process, requirements for charter schools, provisions for termination of a charter, State Board rule waivers, funding for charter schools, and provisions regulating charter schools approved by local school boards.

Funding Detail

Table 13-1 below shows the FY 2008 appropriation for the State Charter School Board. Historical funding detail for charter schools may be found as part of the division of Law, Legislation, and Education Services budget detailed above.

Budget History - State Board of Education - State Charter School Board					
	2004 Actual	2005 Actual	2006 Actual	2007 Actual	2008 Appropriated
Sources of Finance					
Uniform School Fund	0	0	474,300	384,500	696,900
Uniform School Fund, One-time	0	0	2,800,000	4,099,500	0
Federal Funds	0	0	7,429,800	5,692,100	7,806,700
Beginning Nonlapsing	0	0	0	135,700	0
Closing Nonlapsing	0	0	(135,700)	(121,200)	0
Total	\$0	\$0	\$10,568,400	\$10,190,600	\$8,503,600
Programs					
State Charter School Board	0	0	10,568,400	10,190,600	8,503,600
Total	\$0	\$0	\$10,568,400	\$10,190,600	\$8,503,600
Categories of Expenditure					
Personal Services	0	0	305,800	338,300	677,200
In-State Travel	0	0	10,800	19,200	10,700
Out of State Travel	0	0	12,600	13,500	12,600
Current Expense	0	0	125,600	114,100	125,600
DP Current Expense	0	0	1,100	3,800	1,100
Other Charges/Pass Thru	0	0	10,112,500	9,701,700	7,676,400
Total	\$0	\$0	\$10,568,400	\$10,190,600	\$8,503,600
Other Data					
Budgeted FTE	0.0	0.0	3.7	3.8	6.5

Table 14-1

CHAPTER 15 UTAH STATE OFFICE OF REHABILITATION**Function**

The Utah State Office of Rehabilitation (USOR), under the direction of the State Board of Education, operates programs designed to assist disabled individuals prepare for and obtain gainful employment as well as increase their independence. USOR contains an Executive Director's Office, and four operating divisions: Services to the Blind and Visually Impaired, Rehabilitation Services, Disability Determination Services, and Services to the Deaf and Hard-of-Hearing.

The Smith-Fess Act authorizing the state-federal vocational rehabilitation program was passed by Congress and signed into law in 1920. The program officially opened in Utah in 1921. The Utah State Office of Rehabilitation was created during the 1988 Legislative session under the direction of the State Board of Education and State Superintendent of Public Instruction. Prior to 1988 two separate departments the Division of Rehabilitation Services and the Division of Services for the Blind and Visually Impaired existed as separate divisions under the Utah State Office of Education.

USOR provides tailored services focusing on the needs, interests, abilities, and informed choices of the individuals served. USOR works in concert with other community service and resource providers to offer rehabilitative services throughout the state.

To be eligible for services, patrons must have a physical or mental impairment that constitutes a substantial impediment to gainful employment. State law requires a financial needs test to determine the extent to which a client may receive services.

Statutory Authority

Statutory provisions for the Utah State Office of Rehabilitation may be found in UCA, Section 53A, Chapter 24. In addition to state law, many functions provided by USOR have provisions detailed in federal law. Those federal law references, where available, follow the references in Utah Code.

Utah Code:

- UCA Title 53A, Chapter 24 – State Rehabilitation Act, creates and defines the State Office of Rehabilitation and its functions.

Federal Law:

- 29 USC 721 (a)(2) – Designates the State Agency/Unit for Rehabilitation Services.

Funding Detail

Two primary sources provide revenue for USOR. The largest contributor is the federal government, providing approximately 62 percent of total USOR revenues in FY 2007. In addition to federal funds, USOR receives a significant appropriation from state funds. Uniform School Fund revenues account for roughly 36.2 percent of the total appropriation. The remaining state generated revenue comes from the General Fund. In addition to state and federal resources, the office collects dedicated credits generated primarily through fees and the sale of services, goods and materials.

Table 15-1 provides a 5-year budget history for the Utah State Office of Rehabilitation.

Budget History - State Board of Education - State Office of Rehabilitation					
	2004	2005	2006	2007	2008
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	254,900	254,900	254,900	254,900	265,100
Uniform School Fund	18,166,100	18,996,900	19,605,800	20,488,800	21,310,100
Uniform School Fund, One-time	0	128,600	300,000	383,100	1,000,000
Federal Funds	32,998,200	34,132,300	32,495,300	33,512,800	35,195,400
Dedicated Credits Revenue	521,900	441,800	929,000	999,900	1,042,100
Transfers	0	0	0	0	19,300
Closing Nonlapsing	0	0	0	(4,800)	0
Total	\$51,941,100	\$53,954,500	\$53,585,000	\$55,634,700	\$58,832,000
Programs					
Executive Director	1,423,000	1,366,500	1,433,500	1,790,300	1,350,000
Blind and Visually Impaired	4,897,100	5,115,900	5,378,200	5,205,800	5,585,800
Rehabilitation Services	36,486,900	37,939,000	37,163,800	38,534,100	40,943,200
Disability Determination	7,505,200	7,899,000	7,841,100	8,142,800	8,720,100
Deaf and Hard of Hearing	1,628,900	1,634,100	1,768,400	1,961,700	2,232,900
Total	\$51,941,100	\$53,954,500	\$53,585,000	\$55,634,700	\$58,832,000
Categories of Expenditure					
Personal Services	20,017,400	21,545,300	22,592,700	23,945,700	26,482,400
In-State Travel	187,000	217,500	230,100	242,600	227,400
Out of State Travel	37,500	42,700	57,500	63,300	57,500
Current Expense	3,910,600	4,195,600	4,598,800	4,635,100	4,602,200
DP Current Expense	753,500	658,700	787,800	756,600	787,800
DP Capital Outlay	40,900	5,000	61,300	0	61,300
Capital Outlay	15,600	57,500	2,382,100	58,500	0
Other Charges/Pass Thru	26,978,600	27,232,200	22,874,700	25,932,800	25,279,100
Total	\$51,941,100	\$53,954,500	\$53,585,000	\$55,634,600	\$57,497,700
Other Data					
Budgeted FTE	404.0	406.0	431.6	431.0	431.0
Vehicles	41	41	37	37	37

Table 15-1

EXECUTIVE DIRECTOR'S OFFICE**Function**

With the approval of the State Board of Education, the State Superintendent appoints the Executive Director of USOR. The Executive Director administers the office in accordance to the direction of the State Superintendent, policies of the State Board, and applicable state and federal laws and regulations.

The Executive Director's Office supervises and coordinates the four operating divisions which include the Division of Services for the Blind and Visually Impaired, the Division of Rehabilitation Services, the Division of Disability Determination Services, and the Division of Services to the Deaf and Hard of Hearing.

Functions of the Executive Director's office include planning, budgeting, policy and procedure development, program evaluation, program and fee approval, facility and lease management, computer network development and maintenance, contracts and monitoring, public relations, special project grants, personnel, and training. The office also acts as the primary interface between the Legislature, the State Board of Education as well as the Rehabilitation Services Administration and the Social Security Administration for the various divisions.

Statutory Authority

The following statutes detail the creation of the Executive Director's office, provide for the appointment of the Executive director and enumerate the functions of the office.

Utah Code:

- UCA 53A-24-104 – This section directs the State Superintendent, with approval of the State Board of Education to appoint an Executive Director for the State Office of Rehabilitation.
- UCA 53A-24-105 – Details the statutory functions of the Executive Directors Office, including, budgeting, program administration, establish divisions, conduct studies and make reports pursuant to office functions, etc.

Federal Law:

- 29 USC 721 (a)(2)(B)(ii) – Executive Director

Funding Detail

The Uniform School Fund provides the majority of funding for the Executive Director's Office. The office receives approximately 8 percent of its revenue from the federal government. In addition, the Executive Director's office generates a portion of its revenue from dedicated credits.

The dedicated credits are generated through two receivable contracts USOR has with the Department of Health. One contract involves network support services for a Department of Health office that is located next to a USOR office in the same building. The second contract involves a joint effort with the Governor's Committee on Employment of People with Disabilities through the State Office of Rehabilitation and the Medicaid Infrastructure Grant (DOH) to educate employers about hiring people with disabilities.

Budget History - State Board of Education - State Office of Rehabilitation - Executive Director					
	2004	2005	2006	2007	2008
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
Uniform School Fund	956,300	916,200	1,040,600	1,335,100	1,037,800
Uniform School Fund, One-time	0	5,000	0	(2,400)	0
Federal Funds	424,800	424,400	387,500	450,600	306,800
Dedicated Credits Revenue	41,900	20,900	5,400	7,000	5,400
Total	\$1,423,000	\$1,366,500	\$1,433,500	\$1,790,300	\$1,350,000
Categories of Expenditure					
Personal Services	952,700	990,100	1,037,300	1,161,200	1,263,400
In-State Travel	17,300	21,500	22,000	26,700	22,000
Out of State Travel	6,400	13,500	16,600	14,000	16,600
Current Expense	219,200	173,000	197,800	343,000	200,800
DP Current Expense	94,100	16,900	10,900	17,200	10,900
Other Charges/Pass Thru	133,300	151,500	148,900	228,100	(164,400)
Total	\$1,423,000	\$1,366,500	\$1,433,500	\$1,790,200	\$1,349,300
Other Data					
Budgeted FTE	14.0	13.0	15.0	15.0	15.0

Table 15-2

DIVISION OF SERVICES FOR THE BLIND AND VISUALLY IMPAIRED**Function**

The Division of Services for the Blind and Visually Impaired (DSBVI) assists individuals who are blind or visually disabled to obtain employment and increase their independence. The division provides a variety of services that include orientation and mobility assistance, vocational counseling, vocation training, adaptive technology services, adjustment to blindness training activities, visual screening of children, and prevention of blindness training. The division also administers a Business Enterprise Program that includes cafeterias, gift shops, and convenience stores that are operated by the blind.

The DSBVI provides preschool vision screening. According to state law, DSBVI coordinates vision screening for pre-school and kindergarten age children throughout Utah. Several youth with amblyopia and other severe vision problems are discovered each year through the screenings provided by the division.

Low Vision Services

Low Vision services provided by DSBVI help citizens throughout the state. The division offers free low vision clinics weekly in Salt Lake City, and on a regular basis throughout the State. The section offers services to aid consumers in adjusting to their particular low vision needs, such as, devices, training, mobility, etc.

DSBVI employs a deaf-blind specialist who provides services for those who are deaf-blind, and coordinates services for individuals with other state or USOR programs. In addition to the deaf-blind specialist, the division receives through the Rehabilitation Services Administration funding to conduct an older-blind program. Individuals age 55 and older with severe vision problems may be eligible for these services. The division contracts for three full-time older-blind specialists in Logan, Price and St. George and two part-time specialists in Vernal and Moab through the Independent Living Centers in the respective areas. These individuals assist the older-blind population in rural areas with in-home instruction, support services, and involvement in division and community programs.

Statutory Authority

The statutory references below define the creation of DSBVI, the division's responsibilities and the appointment of an advisory council.

- UCA 53A-24-302 – Creates the Division of Services for the Blind and Visually Impaired within the Utah State Office of Rehabilitation.
- UCA 53A-24-303 – Provides that the Executive Director of USOR appoint the director of the Division of Services for the Blind and Visually Impaired with the approval of the State Board of Education.
- UCA 53A-24-304 – Establishes the duties and responsibilities of DSBVI. The statute also enables the division to provide the Business Enterprise Program, as well as various vocational and employment training services.

- UCA 53A-24-305 – Directs the State Board to appoint an advisory council to assist the division, USOR, and the Board on issues regarding serving blind and visually impaired individuals. The statute also mandates at least one-third of the council members be individuals that are blind or have visual impairments.

Funding Detail

The Uniform School Fund provides the largest source of revenue for the division, at approximately 70 percent of total division funds. Federal funds and dedicated credits represent the remaining division revenue at 30 percent. The division generates dedicated credit revenue primarily through the sale of low vision magnification devices, Braille devices, and speech equipment.

The table below provides a 5-year budget history for the division. Funding for the division has remained steady throughout the 5 years in this history.

Budget History - State Board of Education - State Office of Rehabilitation - Blind and Visually Impaired					
	2004	2005	2006	2007	2008
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
Uniform School Fund	3,165,700	3,240,600	3,515,800	3,192,300	3,625,900
Uniform School Fund, One-time	0	20,800	0	(5,400)	0
Federal Funds	1,659,200	1,793,300	1,798,600	1,940,800	1,896,000
Dedicated Credits Revenue	72,200	61,200	63,800	78,100	63,900
Total	\$4,897,100	\$5,115,900	\$5,378,200	\$5,205,800	\$5,585,800
Categories of Expenditure					
Personal Services	2,739,600	2,939,700	2,991,100	3,064,100	3,325,600
In-State Travel	24,400	25,400	24,000	22,700	24,000
Out of State Travel	4,900	5,700	7,100	12,100	7,100
Current Expense	881,400	975,700	1,109,900	921,300	1,109,700
DP Current Expense	201,800	112,000	132,800	88,900	132,800
DP Capital Outlay	5,800	5,000	5,600	0	5,600
Capital Outlay	0	37,000	50,200	15,600	0
Other Charges/Pass Thru	1,039,200	1,015,400	1,057,500	1,081,100	908,100
Total	\$4,897,100	\$5,115,900	\$5,378,200	\$5,205,800	\$5,512,900
Other Data					
Budgeted FTE	56.0	56.0	56.0	56.0	56.0
Vehicles	13	13	13	13	13

Table 15-3

DIVISION OF REHABILITATION SERVICES

Function	Rehabilitation Services provides two major programs, Vocational Rehabilitation and Independent Living.
<i>Vocational Rehabilitation</i>	<p>Vocational Rehabilitation provides services directed towards the goal of employment. Services include counseling and guidance, assistive technology, job training, job placement, and post employment follow-up. Eligibility for vocational rehabilitation is based on the presence of physical or mental impairment that constitutes a substantial impediment to employment. Once determined eligible, an individual will work with a counselor to develop an individualized program that leads to employment.</p> <p>The division provides statewide services to people with disabilities through twenty-eight offices. All forty school districts in the state, through cooperative agreements, receive vocational rehabilitation services. Vocational Rehabilitation Counselors are assigned to each high school in the state. The division also works through cooperative agreements with the Department of Workforce Services, the Division of Children's with Special Health and Special Care Needs, the State Board of Regents, the Division of Services for People with Disabilities, Health Care Financing (Medicaid), and the Division of Substance Abuse, and the Division of Mental Health.</p>
<i>Utah's Independent Living Centers</i>	<p>Statewide Independent Living Centers enable people with disabilities to live independently. The Division of Rehabilitation Services works with the Independent Living Centers, the Division of Services for the Blind and Visually Impaired, and the Utah Statewide Independent Living Council to coordinate services. Services provided include; peer support, skills training, recreation and community integration programs, and assistive technology.</p> <p>Eligibility for the program is based on the presence of a disability coupled with the ability to benefit from services. All services are based individual need in accordance with an IL plan with specific goals and objectives. Services are time-limited and designed to assist consumers increase and maintain their levels of independence and community participation.</p> <p>Currently, six Independent Living Centers (ILC's) and four satellites operate throughout Utah. They include: Options for Independence in Logan with a satellite in Brigham City; Tri-County Independent Center in Ogden; Utah Independent Living Center in Salt Lake City which operates a satellite in Tooele; Central Utah Independent Living Center in Provo; Active Re-Entry Independent Living Center in Price, which operates two satellites in Vernal and Moab; and Red Rock Independent Living Center in St. George. Each ILC operates on a combination of State and federal funding. All ILC's provide, at a minimum, the services detailed above.</p>
Statutory Authority	The statutory references below detail the Division of Rehabilitation Services, Assistive Technology Services, and various advisory councils in Utah law. Appropriate federal law references may be found following the state code section.

Utah Code:

- UCA 53A-24-110.5 – Establishes the Rehabilitation Services Advisory Committee as an advisory council for the Utah Center for Assistive Technology.
- UCA 53A-24-110.7 – Provides an ongoing revenue source for Assistive Technology. Funding assists individuals in accessing, customizing, or using assistive technology devices.
- UCA 53A-24-114 – Establishes the Governor’s Committee on Employment of People with Disabilities and defines its duties.
- UCA 53A-24-202 – Establishes within the Utah State Office of Rehabilitation, the Division of Rehabilitation Services.
- UCA 53A-24-203 – Provides that the Executive Director of USOR appoint the director of the Division of Rehabilitation Services with the approval of the State Board of Education.
- UCA 53A-24-204 – Outlines the statutory responsibilities of the Division of Rehabilitation Services.
- UCA 53A-24-205 – Provides for the creation of an advisory council for the Division of Rehabilitation Services to advise the office on issues relating to the needs of persons with disabilities and how they relate to office functions and vocational rehabilitation services.

Federal Law:

- 29 USC 721 (a)(2)(B) – Designated State Unit
- 29 USC 721 (a)(21)(A)(ii) – State Rehabilitation Council
- 29 USC 796 (c) – Independent Living Services
- 29 USC 796 (d) – Statewide Independent Living Council.

Funding Detail

The federal government provides the largest portion of division funding at over 64 percent. A combination of state funds (Uniform School Fund and General Fund) contributes roughly 33 percent of division funds. The remaining division revenue is generated through dedicated credits.

The division’s dedicated credits revenue comes from two sources: 1) The Division of Facilities Construction and Management rents a portion of the Buffmire Rehabilitation Services Center building; 2) The Department of Workforce Services Receivable Contract, the Department of Health Receivable Contract, and the Department of Education – At Risk Students Receivable Contract contribute to the dedicated credits revenue.

As noted above, Rehabilitation Services receives revenue from the state’s general fund of \$254,900. This funding stream has existed at the current level for several years. Rehabilitation Services is the only education related agency that receives an ongoing general fund appropriation. The General Fund

appropriation provides for the Utah Center for Assistive Technology (UCAT). UCAT began as a federal grant serving multiple state agencies such as; the Division of Services for People with Disabilities, the Division of Children's with Special Health and Special Care Needs, the Division of Aging, the Department of Workforce Services, etc. When the federal grant ended, the Legislature continued the program and placed the Center under the direction of the Utah State Office of Rehabilitation. The General Funds are used to continue services to other non-education related state agencies.

Table 15-4 shows the 5 year budget history for the division. Division funding has remained fairly consistent over the past 5 years.

As with many of the USOR divisions, Rehabilitation Services passes through the majority of its revenue to other agencies or programs. Rehabilitation Services uses the majority of its pass through revenue in client case management to provide direct services to those clients.

Budget History - State Board of Education - State Office of Rehabilitation - Rehabilitation Services					
	2004	2005	2006	2007	2008
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	254,900	254,900	254,900	254,900	265,100
Uniform School Fund	12,562,100	13,292,700	13,373,900	14,190,600	14,621,600
Uniform School Fund, One-time	0	85,900	300,000	397,000	1,000,000
Federal Funds	23,411,600	24,019,200	22,470,500	22,979,900	24,272,500
Dedicated Credits Revenue	258,300	286,300	764,500	716,500	764,700
Transfers	0	0	0	0	19,300
Closing Nonlapsing	0	0	0	(4,800)	0
Total	\$36,486,900	\$37,939,000	\$37,163,800	\$38,534,100	\$40,943,200
Categories of Expenditure					
Personal Services	11,046,100	11,940,900	12,488,900	13,257,500	14,518,400
In-State Travel	131,400	160,700	168,300	180,500	168,300
Out of State Travel	14,600	16,500	20,500	24,000	20,500
Current Expense	1,897,300	2,099,000	2,314,000	2,481,100	2,314,000
DP Current Expense	255,800	431,800	506,100	506,300	506,100
DP Capital Outlay	35,100	0	55,700	0	55,700
Capital Outlay	15,600	0	0	42,900	0
Other Charges/Pass Thru	23,091,000	23,290,100	21,610,300	22,041,800	22,170,600
Total	\$36,486,900	\$37,939,000	\$37,163,800	\$38,534,100	\$39,753,600
Other Data					
Budgeted FTE	226.0	228.0	241.1	241.0	241.0
Vehicles	24	24	21	21	21

Table 15-4

DIVISION OF DISABILITY DETERMINATION SERVICES

Function This state administered federal program develops, adjudicates, and processes all disability claims of Utah residents under Title II and Title XVI of the Social Security Act. It refers disabled adults to the Division of Rehabilitation Services whenever the adult may benefit from vocational rehabilitation services. The determination of who may benefit is based on criteria developed by the Social Security Administration.

Statutory Authority The following statutes govern the operation of the Division of Disability Determination Services. Federal law references follow references to Utah Code.

- UCA 53A-24-501 – Creates the Division of Disability Determination Services within the Utah State Office of Rehabilitation.
- UCA 53A-24-502 – Provides that the Executive Director of USOR appoint the director of the Division of Disability Determination Services with the approval of the State Board of Education.
- UCA 53A-24-503 – Provides that DDDS may perform disability determination services authorized under state or federal law or regulation.

Funding Detail Disability Determination Services, except for a small Uniform School Fund appropriation, receives its' revenue from the federal government. The \$3,600 in state Uniform School Funds received by the division supports the Disabilities Determination Services Advisory Council (UCA 53A-15-205). Table 15-5 details the division's budget for the past 5 years.

Budget History - State Board of Education - State Office of Rehabilitation - Disability Determination					
	2004	2005	2006	2007	2008
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
Uniform School Fund	2,600	3,600	2,400	5,100	2,100
Uniform School Fund, One-time	0	0	0	(3,800)	0
Federal Funds	7,502,600	7,895,400	7,838,700	8,141,500	8,718,000
Total	\$7,505,200	\$7,899,000	\$7,841,100	\$8,142,800	\$8,720,100
Categories of Expenditure					
Personal Services	4,069,800	4,470,600	4,761,300	5,037,300	5,650,600
In-State Travel	1,600	1,100	600	1,200	600
Out of State Travel	11,600	6,300	10,200	10,400	10,200
Current Expense	627,800	659,300	656,400	493,000	656,600
DP Current Expense	142,700	49,800	80,700	88,300	80,700
Capital Outlay	0	0	2,331,900	0	0
Other Charges/Pass Thru	2,651,700	2,711,900	0	2,512,600	2,325,000
Total	\$7,505,200	\$7,899,000	\$7,841,100	\$8,142,800	\$8,723,700
Other Data					
Budgeted FTE	76.0	76.0	81.5	81.0	81.0

Table 15-5

DIVISION OF SERVICES TO THE DEAF AND HARD OF HEARING

Function

The Division of Services to the Deaf and Hard-of-Hearing (DSDHH) helps increase productivity, independence, and community integration of individuals who are deaf or hard-of-hearing. Program services provided through the Robert G. Sanderson Community Center for the Deaf include: information and referral, educational classes, counseling and case management services, recreation and leisure activities, telecommunication services for the deaf, repair and maintenance of assistive technology, interpreter services, and a library. The division operates four programs: Deaf and Hard of Hearing, Utah Interpreter Programs, Outreach and Technology Program, and the Individualized Program. These programs are detailed in the following paragraphs.⁹⁶

Programs for the Deaf – The deaf program includes activities and services to fulfill social, recreational, and adult learning needs with barrier-free communication. Specialized programs have been developed for Deaf Seniors, Deaf teenagers, families with Deaf children, people with multiple disabilities and some degree of deafness, and people who have lost their hearing as adults.

Programs for the Hard of Hearing – The Hard of Hearing Specialists work with hard of hearing and late-deafened individuals and their families to support those individuals with building various degrees of adjustment/coping skills by providing a barrier-free environment in which to learn, share experiences and enjoy socialization with others who have similar experiences. They provide classes, workshops, sign language and speech reading training. They also provide information and resources on self-advocacy, assistive technology, purchasing hearing aids, the Americans with Disabilities Act (ADA), self-help strategies and employment issues.

Utah Interpreter Program – The program provides interpreter training, mentoring, best practices, and certification. The center offers classes and workshops to help interpreters improve skills, increase knowledge, and prepare for certification.

The Center performs interpreter certification quality assurance evaluations to ensure that deaf community is receiving quality interpreting services.

Individualized Services Program – Services are provided at no cost to individuals who are Deaf and Hard of Hearing, such as mental health counseling in family, group or individualized settings; case management services; assistance with reading documents; and referring clients to appropriate agencies or service providers.

Outreach and Technology Program – Outreach services offer information and referrals to the public regarding deaf and hard of hearing issues. The program provides presentations or workshops on the needs and technology available for individuals who are Deaf or Hard of Hearing.

⁹⁶ Utah Services to the Deaf and Hard of Hearing, Program Descriptions. Found at: www.deafservices.utah.gov.

The Center offers a Demonstration Lab that has equipment available for individuals to test before purchase. Equipment includes special phones for the Hard of Hearing, TTY Devices, Doorbell and Phone Transmitters and Flashers, Baby Cry Devices, Fire/Burglar Alarms, computer software and hardware, etc.

Statutory Authority

The following statutes detail the creation of the division, division responsibilities, and the appointment of an advisory council. Federal law references follow UCA references.

- UCA 53A-24-402 – Creates the Division of Services to the Deaf and Hard of Hearing within the Utah State Office of Rehabilitation.
- UCA 53A-24-403 – Provides that the Executive Director of USOR appoint the director of the Division of Services to the Deaf and Hard of Hearing with the approval of the State Board of Education.
- UCA 53A-24-404 – Outlines the services the division may provide, including: training and adjustment services for adults with hearing impairments; maintain a register of qualified interpreters; operate community centers for individuals with hearing impairments.
- UCA 53A-24-405 – Directs the State Board to appoint an advisory council to assist the division, USOR, and the Board on issues relating to serving the needs of Deaf and Hard of Hearing individuals. The statute also mandates at least one-third of the council members be individuals with hearing impairments.

Funding Detail

Table 15-6 provides a 5-year budget history for the division. The table illustrates that Uniform School Funds represent roughly 89 percent of the total division revenue. The only other revenue source in the division's budget is dedicated credits revenue. The division generates dedicated credits through the sale of services that includes items such as: building rental income (Utah Association for the Deaf and a Bookstore); fees for interpreter certification evaluation; fees for interpreter services to Courts and state agencies; fees for interpreter training workshops; fees for sign language classes; and mental health service fees.

Budget History - State Board of Education - State Office of Rehabilitation - Deaf and Hard of Hearing					
	2004	2005	2006	2007	2008
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
Uniform School Fund	1,479,400	1,543,800	1,673,100	1,765,700	2,022,700
Uniform School Fund, One-time	0	16,900	0	(2,300)	0
Federal Funds	0	0	0	0	2,100
Dedicated Credits Revenue	149,500	73,400	95,300	198,300	208,100
Total	\$1,628,900	\$1,634,100	\$1,768,400	\$1,961,700	\$2,232,900
Categories of Expenditure					
Personal Services	1,209,200	1,204,000	1,314,100	1,425,600	1,724,400
In-State Travel	12,300	8,800	15,200	11,500	12,500
Out of State Travel	0	700	3,100	2,800	3,100
Current Expense	284,900	288,600	320,700	396,700	321,100
DP Current Expense	59,100	48,200	57,300	55,900	57,300
Capital Outlay	0	20,500	0	0	0
Other Charges/Pass Thru	63,400	63,300	58,000	69,200	39,800
Total	\$1,628,900	\$1,634,100	\$1,768,400	\$1,961,700	\$2,158,200
Other Data					
Budgeted FTE	32.0	33.0	38.0	38.0	38.0
Vehicles	4	4	3	3	3

Table 15-6

CHAPTER 16 UTAH SCHOOLS FOR THE DEAF AND BLIND

Function	<p>The Utah Schools for the Deaf and Blind (USDB) were established in 1896 to meet the educational needs of children with hearing or vision impairments. USDB's mission is to "Provide high quality direct and indirect education services to children with sensory impairments from birth through 21 years of age and their families in Utah."</p> <p>USDB helps children with hearing and/or visual impairments to become competent, caring and contributing citizens. They operate an educational resource center that supplies educational materials to other agencies serving sensory impaired children. Annually, the USDB provides educational services to approximately 1,600 Utah students through three major programs. These programs include; a residential program, self-contained classrooms, and a student consultant program.</p> <p>The Utah State Board of Education is designated in statute as USDB's governing body. In addition to the State Board of Education, the USDB Institutional Council acts as an advisory panel to the State Board of Education, the State Superintendent, and the USDB Superintendent. The role of the USDB Institutional Council is defined in Chapter 17.</p>
Statutory Authority	<p>Utah code details the Schools for the Deaf and Blind in Section 53A, Chapter 25. The following references represent broad statutory segments dealing with the deaf school, blind school and the Institutional Council.</p> <ul style="list-style-type: none">➤ UCA 53A-25-101 et. seq. – Sections 101-111 detail the creation of the School for the Deaf, qualifications for students to enter the deaf school, and the qualities and duties of the school superintendent.➤ UCA 53A-25-201 et. seq. - Sections 201-206 further detail the creation of the Blind School. As with the deaf school, statute defines qualifications for students and governance.➤ UCA 53A-25-301 et. seq. – Sections 301-306 establish the USDB Institutional Council, as well as, details the appointment and duties of council members.

Funding Detail

Table 16-1 provides a 5 year budget history for the Utah Schools for the Deaf and Blind. The Uniform School Fund provides the largest source of revenue for USDB. Uniform School Fund revenue contributes more than 83 percent of the total revenue used to support USDB.

Over the past 5 years, USDB has benefited from a steady and increasing USF appropriation. The remaining revenue supporting USDB comes from dedicated credits generated through contracted services. A significant portion of USDB revenue is transferred from other agencies such as USOE, the Child Nutrition Program, or the Department of Health.

Budget History - State Board of Education - School for the Deaf and Blind					
	2004	2005	2006	2007	2008
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
Uniform School Fund	18,106,800	18,996,400	20,256,400	21,992,200	23,537,900
Uniform School Fund, One-time	0	170,200	0	132,700	0
Federal Funds	(316,200)	(160,500)	119,300	181,800	169,900
Dedicated Credits Revenue	609,400	559,800	704,900	526,900	865,200
Transfers	3,796,900	3,394,600	745,600	3,673,400	3,801,500
Transfers - Child Nutrition	0	0	(394,600)	0	0
Transfers - Health	0	0	2,224,800	0	0
Transfers - Interagency	0	0	385,200	0	0
Transfers - State Office of Education	0	0	1,165,900	0	0
Beginning Nonlapsing	605,600	628,500	360,800	786,900	0
Closing Nonlapsing	(312,300)	(173,500)	(786,900)	(836,500)	0
Lapsing Balance	(38,800)	0	0	0	0
Total	\$22,451,400	\$23,415,500	\$24,781,400	\$26,457,400	\$28,374,500
Programs					
Instructional Services	12,996,000	12,466,100	13,222,800	14,972,100	16,766,200
Support Services	9,455,400	10,949,400	11,558,600	11,485,300	11,608,300
Total	\$22,451,400	\$23,415,500	\$24,781,400	\$26,457,400	\$28,374,500
Categories of Expenditure					
Personal Services	16,973,600	17,600,600	18,747,000	20,084,600	22,540,200
In-State Travel	311,400	358,100	465,000	440,100	243,300
Out of State Travel	38,500	38,900	35,300	69,500	21,600
Current Expense	4,780,700	4,628,400	5,213,000	5,446,300	5,462,300
DP Current Expense	287,700	171,100	300,500	337,200	107,100
DP Capital Outlay	0	608,200	(56,400)	36,100	0
Capital Outlay	58,000	10,200	11,000	43,600	0
Other Charges/Pass Thru	1,500	0	66,000	0	0
Total	\$22,451,400	\$23,415,500	\$24,781,400	\$26,457,400	\$28,374,500
Other Data					
Budgeted FTE	372.0	372.0	381.5	371.3	371.1
Vehicles	34	34	62	62	62

Table 16-1

INSTRUCTION**Function**

The Instruction division provides educational programs for the deaf, blind, and deaf-blind children of Utah. It provides residential, daytime, and extension programs in a number of locations throughout the state. The following details significant programs within the division of Instruction. All programs are geared toward meeting the instructional/educational needs of students served by USDB.

Teacher Consultant Program – The Teacher Consultant Program provides regular classroom teachers' in the school districts with assistance on how to best meet the educational needs of hearing or visually impaired students.

Educational Resource Center – The Educational Resource Center provides materials and equipment to every instructional program throughout the state that has a hearing or visually impaired student. Services include captioned films for the hearing impaired; Braille, large print, and recorded materials; a professional book collection related to sensory impairment; a parent resource library; a textbook depository; visual aids and teaching aids that support the curriculum; and books for recreational reading at appropriate reading levels.⁹⁷

Parent Infant Program – The Parent Infant Program provides home based vision and hearing services to families with children who are sensory impaired from birth through three years of age.

Deafblind Services – USDB provides services to individuals with dual sensory impairments from birth through age 21. Consultants provide services statewide. Services include, but are not limited to, training, technical assistance, mentoring, teaching and interacting techniques, curricula and learning environment modifications and adaptations, the use of appropriate communication systems, etc.⁹⁸

Self-Contained Classrooms & Consultant Services – In addition to the programs detailed above. USDB operates many self-contained classrooms throughout the state. USDB also provides consultant services to deaf, blind or deaf blind students who remain in their local school districts for their education. The self-contained and consultant services represent the largest portion of USDB operations. USDB established geographical service regions (North, Central, and South) for the school for the deaf and school for the blind.

General services provided by USDB include early detection and diagnosis, family support and intervention, core curriculum, additional and adapted core subjects, and transition services for those students progressing to higher education institutions.

⁹⁷ Quigley, Lorri. *Educational Resource Center Division Overview*. Utah Schools for the Deaf and Blind. June, 2004.

⁹⁸ Fowers, Darla. *Brief Description of Deafblind Services*. Utah Schools for the Deaf and Blind. June, 2004.

Funding Detail

Table 16-2 below details a 5 year budget history for the division. As the table show, the Uniform School Fund provides more than 94 percent of the division's budget. Instruction services is a very labor intensive division, over 97 percent of the division's budget supports employee salaries and benefits.

The increase in Uniform School Funds appropriated to the USDB – Instructional Services line-item largely represents a revenue transfer from the Minimum School Program to USDB. This transfer represents the state revenue received by the Jean Massieu Charter School through the MSP. The revenue was transferred to facilitate the merger of Jean Massieu with the USDB. The FY 2006 FTE count reflects the transfer of Jean Massieu teachers to the USDB.

Budget History - State Board of Education - School for the Deaf and Blind - Instructional Services					
	2004	2005	2006	2007	2008
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
Uniform School Fund	11,970,100	11,482,700	12,374,600	14,278,800	15,795,300
Uniform School Fund, One-time	0	123,600	0	150,300	0
Federal Funds	(316,200)	(187,300)	69,600	107,400	93,200
Dedicated Credits Revenue	226,400	251,700	310,600	294,200	345,600
Transfers	765,700	795,400	340,000	471,800	532,100
Transfers - Health	0	0	116,900	0	0
Transfers - Interagency	0	0	27,200	0	0
Transfers - State Office of Education	0	0	540,700	0	0
Beginning Nonlapsing	350,000	0	10,600	56,600	0
Closing Nonlapsing	0	0	(567,400)	(387,000)	0
Total	\$12,996,000	\$12,466,100	\$13,222,800	\$14,972,100	\$16,766,200
Categories of Expenditure					
Personal Services	12,337,400	11,854,200	12,515,900	14,194,500	16,187,600
In-State Travel	180,900	207,000	208,500	232,800	185,500
Out of State Travel	8,000	19,000	5,700	9,300	3,600
Current Expense	444,700	377,000	482,200	521,900	386,000
DP Current Expense	18,300	8,900	10,500	13,600	3,500
Capital Outlay	6,700	0	0	0	0
Total	\$12,996,000	\$12,466,100	\$13,222,800	\$14,972,100	\$16,766,200
Other Data					
Budgeted FTE	257.0	257.0	247.6	257.3	257.2

Table 16-2

SUPPORT SERVICES**Function**

The Support Services Division provides functions of USDB related to Administration, Educational Support, Residential Care Oversight, and Transportation. The following detail each of the major operating sections of support services.

Administration – USDB administration executes the schools’ business management (coordinated through the state office of education), personnel services, and data processing functions.

Educational Support – Educational Support included professional staff that supports the educational goals of students as outlined in their IEP. These professionals include audiologists, orientation and mobility specialists, physical therapists, and psychologists.

Resident Services – In some cases, a student’s Individual Education Plan (IEP) indicates that educational goals may be better fulfilled in a residential program. USDB supports four residential cottages (which hold 12 students) and two housing units that hold up to 18 students. Students reside at the school during the week and return home for the weekend.

Transportation – Students that receive educational services in a USDB self-contained classroom are bussed from home to the location of their school each day. The division provides coordination between the student’s residence and the closest classroom based on disability and classroom capacity. In addition, the division may coordinate the transportation of residential students on the weekends.

Other Support Services – In addition to those services mentioned above, USDB has staff to provided food services at school and in the residential facilities, as well as staff to perform building and ground maintenance.

Funding Detail

Support Services receives the majority of its revenue from the Uniform School Fund. Over 67 percent of the Support Services budget comes from the USF. The remaining revenue is generated through dedicated credits and transfers from other agencies. The division collects dedicated credits primarily through contracted services, training fees, bookstore/canteen sales, and other small sources. Support Services also receives federal fund transfers from USOE, Child Nutrition Program, and the Department of Health. USDB saw an increase in 28 vehicles due to a consolidation of fleets from DAS.

Table 16-3 below provides a 5 year budget history for the Support Services division.

Budget History - State Board of Education - School for the Deaf and Blind - Support Services					
	2004	2005	2006	2007	2008
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
Uniform School Fund	6,136,700	7,513,700	7,881,800	7,713,400	7,742,600
Uniform School Fund, One-time	0	46,600	0	(17,600)	0
Federal Funds	0	26,800	49,700	74,400	76,700
Dedicated Credits Revenue	383,000	308,100	394,300	232,700	519,600
Transfers	3,031,200	2,599,200	405,600	3,201,600	3,269,400
Transfers - Child Nutrition	0	0	(394,600)	0	0
Transfers - Health	0	0	2,107,900	0	0
Transfers - Interagency	0	0	358,000	0	0
Transfers - State Office of Education	0	0	625,200	0	0
Beginning Nonlapsing	255,600	628,500	350,200	730,300	0
Closing Nonlapsing	(312,300)	(173,500)	(219,500)	(449,500)	0
Lapsing Balance	(38,800)	0	0	0	0
Total	\$9,455,400	\$10,949,400	\$11,558,600	\$11,485,300	\$11,608,300
Categories of Expenditure					
Personal Services	4,636,200	5,746,400	6,231,100	5,890,100	6,352,600
In-State Travel	130,500	151,100	256,500	207,300	57,800
Out of State Travel	30,500	19,900	29,600	60,200	18,000
Current Expense	4,336,000	4,251,400	4,730,800	4,924,400	5,076,300
DP Current Expense	269,400	162,200	290,000	323,600	103,600
DP Capital Outlay	0	608,200	(56,400)	36,100	0
Capital Outlay	51,300	10,200	11,000	43,600	0
Other Charges/Pass Thru	1,500	0	66,000	0	0
Total	\$9,455,400	\$10,949,400	\$11,558,600	\$11,485,300	\$11,608,300
Other Data					
Budgeted FTE	115.0	115.0	133.9	114.0	113.9
Vehicles	34	34	62	62	62

Table 16-3

CHAPTER 17 UTAH SCHOOLS FOR THE DEAF AND BLIND – INSTITUTIONAL COUNCIL**Function**

The USDB – Institutional Council line item was created by the Legislature during the 2003 General Session. The Institutional Council was created in statute to act as an advisory panel to the State Board of Education when considering the educational needs of deaf, blind or deaf/blind students. Council members are appointed by the State Board of Education based on their interest and knowledge of the educational needs of students with sensory impairments.

In addition to the general educational needs of sensory impaired students, the Institutional Council may make recommendations or give advice to the State Superintendent and the State Board of Education with respect to the continued employment of the USDB superintendent. The council may also wish to provide input on staff positions, school policy, budget, and operations. The State Board of Education may choose to delegate additional duties to the Institutional Council.

The line item was created by the Legislature at the request of USDB. The purpose was to shift the revenue generated from the interest and dividends derived from the permanent fund created for the Schools for the Deaf and Blind at statehood. These funds are distributed by the School and Institutional Trust Lands Administration. Utah Code, UCA 53A-25-306, restricts the use of Trust Land funds to the Education Enrichment Program for the Hearing and Visually Impaired

Statutory Authority

The following statutes detail provisions relating to the Institutional Council.

- UCA 53A-25-301 – Establishes the council as an advisory panel of the State Board of Education.
- UCA 53A-25-302 – Provides for the appointment and length of term for council members.
- UCA 53A-25-304 – Details the statutory duties of the council in relation to its function as an advisory to the State Board.
- UCA 53A-25-305 – Directs the State Board to adopt policies and programs for providing appropriate educational services to individuals who have dual sensory impairments and designate an individual within the State Office of Education to act as a resource coordinator for the board on public education programs designed for individuals who are dual sensory impaired.

Funding Detail

As mentioned at the beginning of the chapter, the USDB – Institutional Council line item was created in the 2003 General Session. Because of its relatively new creation, the 5 year budget history provided in Table 17-1 only contains information for FY 2004 through FY 2007. Prior to FY 2004 Institutional Council funding was tracked in the Support Services division at USDB.

The Institutional Council line item is funded entirely through dedicated credits. These dedicated credits are the interest and dividends earned off the investment of the permanent fund created for the education of the hearing and visually impaired.

Budget History - State Board of Education - USDB - Institutional Council					
	2004	2005	2006	2007	2008
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
Dedicated Credits Revenue	377,600	630,300	608,400	658,800	619,000
Beginning Nonlapsing	396,100	437,300	693,800	782,400	480,000
Closing Nonlapsing	(437,300)	(693,800)	(782,400)	(929,100)	(480,000)
Total	\$336,400	\$373,800	\$519,800	\$512,100	\$619,000
Programs					
Institutional Council	336,400	373,800	519,800	512,100	619,000
Total	\$336,400	\$373,800	\$519,800	\$512,100	\$619,000
Categories of Expenditure					
Personal Services	246,200	314,800	416,600	400,800	468,000
In-State Travel	1,000	700	500	300	300
Current Expense	82,400	58,000	59,700	17,700	13,000
DP Current Expense	6,800	300	43,000	53,300	2,000
Capital Outlay	0	0	0	40,000	135,700
Total	\$336,400	\$373,800	\$519,800	\$512,100	\$619,000
Other Data					
Budgeted FTE	6.0	6.0	6.7	5.3	5.3

Table 17-1

CHAPTER 18 CHILD NUTRITION PROGRAMS

Function

These federal assistance programs have the purpose of offering high quality, nutritionally well-balanced meals and to develop nutrition awareness among students. The programs offer low cost or free meals to children in public and non-profit private schools. The state contributes to the nutrition programs with revenue generated through the liquor tax.

The Child Nutrition staff provides technical assistance as requested by participants; develops an annual financial and staffing plan; provides free and reduced price meal policy; interprets state and federal regulations; and performs administrative and nutritional reviews in districts and institutions to assure compliance with state and federal regulations.

The federal child nutrition programs were authorized under the National School Lunch Act of 1946, the Child Nutrition Act of 1966, and the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. The programs strive to improve the nutritional well being of children, enabling them to reach their full potential. The following are the primary programs administered by the Child Nutrition Section at USOE, in accordance with USDA regulations.⁹⁹

National School Lunch Program – Four funding sources contribute to the National School Lunch Program, namely, Federal Funds, State Funds, USDA Commodities and Local Revenue. Commodities include items such as meat, vegetables, cheese, and staples such as flour, oils etc. This program serves a dual need; support for the agriculture industry, and the nutritional needs of children.

Meals provided in the schools must meet the nutritional requirements of the “Dietary Guidelines for Americans,” published by the USDA and U.S. Department of Health and Human Services. Guidelines indicate that meals should provide for one-third of a child’s daily nutritional requirements. Free and Reduced price lunches are available for children who meet the eligibility requirements detailed in “Free and Reduced Price Lunch Guidelines” below.

National School Breakfast Program – Schools have the option of participating in the School Breakfast Program. The same eligibility requirements used in determining the need for free or reduced price lunch are used for the breakfast program, see “Free and Reduced Price Lunch Guidelines” below.

Severe Need Breakfast Program – The Severe Need Breakfast Program aids local schools that have 40 percent or more of their population qualifying for free or reduced price lunches. The program enables these children the opportunity to have at least two nutritionally balanced meals each day. The Child Nutrition Section at the State Office of Education tracks which schools qualify for the program and notifies schools of their eligibility. Federal and local funds are used for the Regular and Severe Need Breakfast Programs.

⁹⁹ Information used in the summaries for the various Child Nutrition Programs was obtained through the Utah State Office of Education, Child Nutrition Programs website. Full detail may be found at: www.schools.utah.gov/cnp

Special Milk Program – Children who do not participate in the other nutrition programs, for example, children attending kindergarten may participate in the Special Milk Program. The federal government provides a reimbursement for each half-pint of milk. Children are charged the difference between the reimbursement and the actual cost. Children not able to pay the difference may receive milk free of charge; the federal reimbursement covers the full cost of the milk in this instance.

Summer Food Service Program – The Summer Food Service Program provides meals on a regular basis when school is not in session. To be eligible the school must show that 50 percent or more of their students were served free or reduced price meals. Once the need has been demonstrated, then all children who attend the school are eligible to participate in the program. The Summer Food Service Program is entirely federally funded.

Food Distribution Program – The USDA distributes food to institutions and programs that provide nutritional services to eligible persons. These programs include the National School Lunch Program, the Child and Adult Care Food Program and the Summer Food Service Program. Participating agencies enter into an annual agreement to receive commodities.

Emergency Food Assistance Program – The Emergency Food Assistance Program provides food and federal cash assistance to food banks, pantries and emergency shelters. Foods are distributed through local pantries to individuals in economic distress and for meal services at shelters. The cash assistance helps food banks defray the expense of administration of the program and in the storage and distribution of the food. The state appropriation supports state level administrative expenses, including warehouse receipt and some distribution to shelters.

Free and Reduced Price Lunch Guidelines – Children whose household income is at or below 130 percent of federal poverty guidelines may receive school meals at no charge. Children are entitled to pay a reduced price if their household income is above 130 percent but at or below 185 percent of these guidelines. Children are automatically eligible for free school meals if their household receives food stamps, benefits under the Food Distribution Program on Indian Reservations or, in most cases, benefits under the Temporary Assistance for Needy Families (TANF) program.¹⁰⁰

All income actually received by the household is counted in determining eligibility for free and reduced price meals. This includes salary, public assistance benefits, social security payments, pensions, unemployment compensation etc. The only exceptions are benefits under Federal programs which, by law, are excluded from consideration; in-kind benefits, such as military on-base housing, certain kinds of assistance for students and irregular income from occasional small jobs such as baby-sitting or lawn mowing.

¹⁰⁰ Utah State Office of Education, Child Nutrition Programs, Frequently Asked Questions. Available online at: www.schools.utah.gov/cnp

Statutory Authority

As federal assistance programs, little statutory language exists in Utah code defining the Child Nutrition Programs detailed above. The following statutory references comprise school lunch programs in Utah code. Only two sections deal with school lunch, both deal with programmatic funding.

- UCA 53A-19-201 – Places the control of federal school lunch revenues with the State Board of Education. The statute also details the usage of school lunch funds, revenue apportionment, and reporting requirements.
- UCA 59-16-101 – Provides for a 13% sales tax on wine and distilled liquor sold in state liquor stores. Generated revenue is deposited into the Uniform School Fund to support the school lunch program.

Funding Detail

As detailed in Table 18-1, the majority of Child Nutrition revenue comes from the federal government. The State supports the school lunch programs by assessing a tax on liquor and wine. This tax, shown in Table 18-1 as dedicated credits revenue provides for approximately 17 percent of the total program.

Approximately 98 percent of the total revenue generated for the program gets passed on to local school districts. The remaining 2 percent supports the Child Nutrition division at the State Office of Education.

Budget History - State Board of Education - Child Nutrition					
	2004 Actual	2005 Actual	2006 Actual	2007 Actual	2008 Appropriated
Sources of Finance					
Uniform School Fund	140,100	143,900	150,100	157,400	163,400
Uniform School Fund, One-time	0	900	0	(700)	0
Federal Funds	95,983,700	100,223,900	103,412,100	105,966,400	107,589,200
Dedicated Credits Revenue	16,803,500	18,123,100	20,585,700	23,033,400	21,600,700
Lapsing Balance	0	(1,500)	0	0	0
Total	\$112,927,300	\$118,490,300	\$124,147,900	\$129,156,500	\$129,353,300
Programs					
Child Nutrition	112,927,300	118,490,300	124,147,900	129,156,500	129,353,300
Total	\$112,927,300	\$118,490,300	\$124,147,900	\$129,156,500	\$129,353,300
Categories of Expenditure					
Personal Services	1,290,700	1,446,100	1,465,500	1,386,500	1,671,100
In-State Travel	27,000	19,000	16,200	19,100	16,200
Out of State Travel	19,100	16,300	25,900	28,100	25,900
Current Expense	808,000	582,500	630,100	728,100	630,100
DP Current Expense	38,000	8,200	84,400	25,700	83,700
DP Capital Outlay	0	0	0	18,500	0
Other Charges/Pass Thru	110,744,500	116,418,200	121,925,800	126,950,500	126,926,300
Total	\$112,927,300	\$118,490,300	\$124,147,900	\$129,156,500	\$129,353,300
Other Data					
Budgeted FTE	26.0	26.0	25.3	23.2	23.1
Vehicles	1	1	1	1	1

Table 18-1

CHAPTER 19 PROFESSIONAL EDUCATION OUTREACH PROGRAMS**Function**

For more than 40 years, the Legislature has provided funding to the state's professional art and science organizations to provide educational outreach programs in the public schools. Origins began in the 1960's with the Utah Symphony. The Legislature provided funds "... to finance concerts in the public school districts. The appropriation is given to the Department of Public Instruction who will reimburse the orchestra for the cost of these programs."¹⁰¹

With the inclusion of Ballet West in 1972-73, the education outreach programs began to grow. The Legislature, through passage of S.B. 17 in the 39th Legislature, included the Ballet. "The sum of \$50,000 is appropriated to the State Board of Education from the Uniform School Fund for the purpose of arranging with Ballet West to give not less than 48 ballet concerts in the public schools. . . The school district and the students shall not be charged for these concerts."¹⁰² Shortly after the Ballet, the Clark Planetarium (formerly Hansen Planetarium) and the Utah Opera began to provide services in the schools. The Arts program has grown to include 12 participating organizations.

The outreach programs enable Utah's professional art and science organizations to provide their expertise and resources in the teaching of the state's fine arts and science curricula. The organizations support and enhance the state curriculum by providing educational services such as, demonstrations, performances, presentations, and activities in the public schools.

Program participants collaborate with the State Office of Education and the school community in planning the content of art/science education in the schools. The participants extend professional performances and presentations to students in the schools and at professional venues. The program ensures that each of the 40 school districts receive services in a balanced and comprehensive manner over a three year period.

Program Bifurcation

During the 2006 General Session, the Legislature split the Education Outreach Programs into two separate line items. Each line item provides funding for educational outreach services but bifurcate the program by category. Namely, one program exclusively serves fine arts organizations while the other serves science organizations.

All programs continue to provide outreach services in the public schools. The bifurcation allows for cleaner oversight of revenues supporting education outreach by service category and the ability to direct revenues to meet specific objectives. Each program follows the same general operating principles and guidelines.

¹⁰¹ Appropriations Report, 1970-71. *A Summary of Fiscal Action Taken by the 38th Utah State Legislature, Budget Session.* Office of the Legislative Fiscal Analyst. February, 1970.

¹⁰² Appropriations Report, 1972-73. *A Summary of Fiscal Action Taken by the 39th Utah State Legislature, Budget Session.* Office of the Legislative Fiscal Analyst, February, 1972.

Statutory Authority

Utah Code does not specifically establish the Education Outreach Programs. Various actions taken by the Legislature, namely, bills, intent language and budget appropriations have continued the program over time. Statute enables the State Board of Education to establish minimum requirements for the public schools as well as the core curricula. The following statutes direct the creation of minimum standards and the core curricula.

- UCA 53A-1-402 – Directs the State Board of Education to establish standards for the public schools, including curriculum and instruction requirements of students.
- UCA 53A-1-402.6 – Relating to UCA 53A-1-402, the Board shall implement a core curriculum that enables students to, among other objectives, identify the basic knowledge, skills, and competencies each student is expected to acquire or master.

FINE ARTS OUTREACH**Function**

The Fine Arts Outreach Program contains three programs that collectively provide educational opportunities in the public schools. These programs include:

Professional Outreach Program in the Schools (POPS)

POPS is the largest of the three programs and has nine participating organizations. POPS participants have fully developed outreach programs and have built the capacity to deliver these programs state-wide. Due to the state-wide delivery mandate of POPS participants, these organizations receive an ongoing allocation of state funding to provide a stable funding base.

The program is reviewed every four years to evaluate each organization's funding level and participation in the program. Participating professional organizations include: Ballet West, Children's Dance Theatre, Repertory Dance Theatre, Ririe-Woodbury Dance Company, Springville Museum of Art, Utah Festival Opera, Utah Shakespearean Festival, Utah Symphony, and Utah Opera.

Requests for Proposals

The RFP program enables smaller, more regional, professional organizations to participate in art education delivery. These programs participate in the RFP to develop educational programs geared to the state core curriculum, expand to provide statewide outreach, and once established receive ongoing funding by becoming a service provider in POPS program.

RFP organizations may apply to move to the POPS program once they have successfully participated in the program for three years and demonstrated that they have a proven quality of service, fiscal responsibility and a core curriculum-based focus in their school program. The USOE has established guidelines for RFP organizations to transition to the POPS program. These regulations and eligibility requirements are the same for Arts or Science providers.

In FY 2008, the Utah Museum of Fine Arts and Spy Hop Productions received RFP funding.

Subsidy Program

During the 2004 General Session, the Legislature created the Fine Arts Subsidy Program. An RFP participant wishing to move into the Subsidy Program must demonstrate to the State Board of Education: that the organization has participated in the RFP program for a number of years; that the participant must have a proven record of success in providing valuable educational services in the public schools; and that due to a specific program requirement they do not qualify for entry into the Statewide Education Outreach Program.

The State Board of Education evaluates the proposal for entry into the subsidy program. The Board also determines individualized participation and reporting requirements for the new subsidy organization, and may seek additional funding from the Legislature to support the approved program.

Arts Inc. is the only professional organization participating in the subsidy program.

Funding Detail

Table 19-1 provides a budget history for the Fine Arts Outreach program. The programs are funded entirely with Uniform School Funds. Appropriated revenues pass through the Utah State Office of Education to the participating organizations

Budget History - State Board of Education - Fine Arts Outreach					
Sources of Finance	2004 Actual	2005 Actual	2006 Actual	2007 Actual	2008 Appropriated
Uniform School Fund	0	0	0	2,639,600	2,989,600
Uniform School Fund, One-time	0	0	0	0	114,000
Beginning Nonlapsing	0	0	0	3,500	0
Closing Nonlapsing	0	0	0	(12,000)	0
Total	\$0	\$0	\$0	\$2,631,100	\$3,103,600
Programs					
Professional Outreach Programs	0	0	0	2,506,600	2,965,100
Requests for Proposals	0	0	0	70,000	70,000
Subsidy Program	0	0	0	54,500	68,500
Total	\$0	\$0	\$0	\$2,631,100	\$3,103,600
Categories of Expenditure					
Current Expense	0	0	0	7,100	0
Other Charges/Pass Thru	0	0	0	2,624,000	3,103,600
Total	\$0	\$0	\$0	\$2,631,100	\$3,103,600

Table 19-1

SCIENCE OUTREACH**Function**

The Science Outreach Program contains three programs that collectively provide educational opportunities in the public schools. These programs follow as similar structure as the arts program.

Informal Science Education Enhancement (iSEE)

Similar to POPS, iSEE is the largest of the three programs and has five participating organizations. Participants have fully developed outreach programs and have built the capacity to deliver these programs state-wide. Due to the state-wide delivery mandate of program participants, these organizations receive an ongoing allocation of state funding to provide a stable funding base.

The program is reviewed every four years to evaluate each organization's funding level and participation in the program. Participating professional organizations include: Clark Planetarium, Discovery Gateway, Living Planet Aquarium, Utah Museum of Natural History, and Red Butte Garden.

Requests for Proposals

The RFP program enables smaller, more regional, professional organizations to participate in science education delivery. These programs participate in the RFP to develop educational programs geared to the state core curriculum, expand to provide statewide outreach, and once established receive ongoing funding by becoming a service provider in the iSEE program.

RFP organizations may apply to move to the iSEE program once they have successfully participated in the program for three years and demonstrated that they have a proven quality of service, fiscal responsibility and a core curriculum-based focus in their school program. The USOE has established guidelines for RFP organizations to transition to the iSEE program. These regulations and eligibility requirements are the same for Arts or Science providers.

In FY 2008, four organizations received science RFP grants. These organizations include: Hawkwatch International, John Hutchings Museum, Tracy Aviary, and the Utah Science Center.

Science Enhancement Program

During the 2006 General Session, the Legislature created the Science Enhancement program. The program provides additional resources to iSEE outreach organizations to expand their programs in order to reach more students and teachers. Organizations are required to apply for funding and demonstrate the additive nature (in terms of more students/teachers served or program quality) of their proposal.

Funding Detail

Table 19-2 provides a budget history for the Science Outreach program. The programs are funded entirely with Uniform School Funds. Appropriated revenues pass through the Utah State Office of Education to the participating organizations.

Budget History - State Board of Education - Science Outreach					
Sources of Finance	2004 Actual	2005 Actual	2006 Actual	2007 Actual	2008 Appropriated
Uniform School Fund	0	0	0	1,339,400	1,689,400
Total	\$0	\$0	\$0	\$1,339,400	\$1,689,400
Programs					
Science Outreach Programs	0	0	0	959,400	1,079,400
Requests for Proposals	0	0	0	180,000	180,000
Science Enhancement	0	0	0	200,000	430,000
Total	\$0	\$0	\$0	\$1,339,400	\$1,689,400
Categories of Expenditure					
Other Charges/Pass Thru	0	0	0	1,339,400	1,689,400
Total	\$0	\$0	\$0	\$1,339,400	\$1,689,400

Table 19-2

CHAPTER 20 EDUCATION CONTRACTS**Function**

Education Contracts provides funding for the education of students in state custody. Two primary programs provide these services. The Youth Center in Provo provides services to students at the State Hospital, and Corrections Institutions provides services to inmates in the state's correctional facilities.

The Utah State Board of Education takes responsibility for the education of students in state custody and acts as the "school board" governing their education. The board contracts with various school districts to provide educational services at the Youth Center and in the State Prisons.

Funding Detail

Revenue to support the Education Contracts program comes entirely from the Uniform School Fund. Table 20-1 provides a 5-year budget history for the line item. The table also details the individual budget amounts for the Youth Center and Corrections Institutions. All revenue supports the education of individuals in the custody of the state and is passed through to the local school districts providing those services. The "current expense" expenditure supports activities related to providing services in the State's correctional facilities.

Budget History - State Board of Education - Educational Contracts					
	2004	2005	2006	2007	2008
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
Uniform School Fund	3,854,800	3,854,800	3,854,800	3,854,800	3,854,800
Beginning Nonlapsing	59,000	0	0	0	0
Lapsing Balance	(52,000)	0	0	0	0
Total	\$3,861,800	\$3,854,800	\$3,854,800	\$3,854,800	\$3,854,800
Programs					
Youth Center	1,153,200	1,153,200	1,153,200	1,153,200	1,153,200
Corrections Institutions	2,708,600	2,701,600	2,701,600	2,701,600	2,701,600
Total	\$3,861,800	\$3,854,800	\$3,854,800	\$3,854,800	\$3,854,800
Categories of Expenditure					
Current Expense	15,200	15,200	15,200	15,200	15,200
Other Charges/Pass Thru	3,846,600	3,839,600	3,839,600	3,839,600	3,839,600
Total	\$3,861,800	\$3,854,800	\$3,854,800	\$3,854,800	\$3,854,800

Table 20-1

YOUTH CENTER

Function

The State Hospital provides specialized mental health services that are difficult to obtain in many communities. The Utah State Board of Education has the responsibility of providing an educational program to all school age children at the State Hospital in Provo. The State Board of Education contracts with the Provo School District to provide educational services at the youth center.

Mountain Brook Elementary and East Wood High School are self-contained schools providing specialized educational services to the students at the State Hospital. In addition to general education services, the Youth Center provides additional personnel for specialized services, such as, interveners, speech/language pathologists, counselors, and psychologists. Due to the nature of mental illness, a high adult to student ratio is required to provide appropriate educational services.

There are two primary units at the youth center, the Children's Unit and the Adolescent Unit. Together, these two programs serve approximately 75-100 school age students.

The Children's Unit (Mountain Brook) serves youth ranging from age 6 to age 13. The Adolescent Unit (East Wood) serves youth ages 13 to 18 years. Both units are usually at or near capacity.

Statutory Authority

The Education Contracts – Youth Center has the following statutory requirements:

- UCA 53A-1-403 – Places the direct responsibility for the education of persons under the age of 21 in the custody of the Department of Human Services, or a juvenile detention agency with the State Board of Education.

Funding Detail

Table 20-2 provides a 5-year budget history for the Youth Center in Provo. The entire budget amount supports the education of students at the center. Program funds are passed through to Provo School District.

Budget History - State Board of Education - Educational Contracts - Youth Center					
	2004	2005	2006	2007	2008
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
Uniform School Fund	1,153,200	1,153,200	1,153,200	1,153,200	1,153,200
Total	\$1,153,200	\$1,153,200	\$1,153,200	\$1,153,200	\$1,153,200
Categories of Expenditure					
Other Charges/Pass Thru	1,153,200	1,153,200	1,153,200	1,153,200	1,153,200
Total	\$1,153,200	\$1,153,200	\$1,153,200	\$1,153,200	\$1,153,200

Table 20-2

CORRECTIONS INSTITUTIONS**Function**

The recidivism reduction program used by the state is a nine-component program designed to enhance the education and job skills of inmates so they will be a positive addition to society when released from prison. The nine components of the program include: Inmate Assessment, Cognitive Problem Solving Skills, Basic Literacy Skills, Career Skills, Job Placement, Post Release Support, Research and Evaluation, Family Involvement, and Multi-agency Collaboration.

School districts, applied technology centers, colleges, and universities that have correctional facilities within their boundaries provide educational services for inmates. The primary recipients of contract funds are the Jordan and South Sanpete school districts. In addition to traditional education strategies, such as, testing/assessment, basic literacy, ESL, high school completion/GED, occupational training, etc., emphasis is placed on cognitive restructuring and transition assistance.

During the past year, school districts and higher education institutions provided educational services in the state prisons or county jails.

Statutory Authority

Statute details the education program for persons in the custody of the Department of Corrections:

- UCA 53A-1-403.5 – Provides that subject to Legislative appropriation, the State Board of Education and the State Board of Regents are responsible for providing educational services for persons in custody of the Department of Corrections. In addition, statute directs the boards to develop a recidivism reduction plan and provides components of the plan.

Funding Detail

Table 20-3 provides a 5-year history for Corrections Institutions. Program funding provides for the education of inmates in the State's correctional facilities. Program funds are passed through to the service providers.

Budget History - State Board of Education - Educational Contracts - Corrections Institutions					
	2004	2005	2006	2007	2008
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
Uniform School Fund	2,701,600	2,701,600	2,701,600	2,701,600	2,701,600
Beginning Nonlapsing	59,000	0	0	0	0
Lapsing Balance	(52,000)	0	0	0	0
Total	\$2,708,600	\$2,701,600	\$2,701,600	\$2,701,600	\$2,701,600
Categories of Expenditure					
Current Expense	15,200	15,200	15,200	15,200	15,200
Other Charges/Pass Thru	2,693,400	2,686,400	2,686,400	2,686,400	2,686,400
Total	\$2,708,600	\$2,701,600	\$2,701,600	\$2,701,600	\$2,701,600

Table 20-3

GLOSSARY

Finance categories used by the state are:

<i>General Fund</i>	This is one of the state's most important sources of income. The primary revenue source is the sales tax, although there are other taxes and fees which are deposited into this fund. General Funds may be spent at the discretion of the Legislature, as the Constitution allows. Personal income taxes and corporate franchise taxes are not deposited into the General Fund, but into the Uniform School Fund.
<i>School Funds</i>	This is another of the state's most important sources of income. Revenues come primarily from personal income taxes and corporate franchise taxes. Funds are constitutionally restricted to public and higher education. In the Capital Facilities subcommittee, these funds are used for debt service and capital improvements (alteration, repair and improvements).
<i>Transportation Funds</i>	Transportation funds are derived primarily from the gas tax and are constitutionally restricted to road and highway related issues. In the Capital Facilities subcommittee, these funds are used for debt service on highway bonds, especially for Centennial Highway Fund projects.
<i>Federal Funds</i>	Federal agencies often make funds available to the state for programs that are consistent with the needs and goals of the state and its citizens and are not prohibited by law. Generally, federal funds are accompanied by certain requirements. A common requirement is some form of state match in order to receive the federal dollars. The Legislature must review and approve most large federal grants before state agencies may receive and expend them.
<i>Dedicated Credits</i>	Dedicated Credits are funds that are paid to an agency for specific services and are dedicated to financing that service. For example, fees collected by an internal service fund agency from another state agency are dedicated credits. By law, these funds must be spent before other appropriated state funds are spent. An agency must estimate the level of its service for the following fiscal year, and thus its level of dedicated credits.
<i>Restricted Funds</i>	Restricted funds are statutorily restricted to designated purposes. The restricted funds usually receive money from specific sources, with the understanding that those funds will then be used for related purposes.
<i>Lapsing/Nonlapsing</i>	Several other small funds are used by certain agencies. These will be discussed in further detail as the budgets are presented. Lapsing funds, however, should be addressed. Funds lapse, or revert back to the state, if the full appropriation is not spent by the end of the fiscal year. Since it is against the law to spend more than the Legislature has appropriated, all programs will either spend all the money or have some left over. The funds left over lapse to the state, unless specifically exempted. Those exceptions include funds that are setup as nonlapsing in their enabling legislation, or appropriations designated nonlapsing by annual intent language per UCA 63-38-8.1. In these cases, left over funds do not lapse back to the state, but remain with the agency in a special nonlapsing balance, for use in the next fiscal year. In the

budgets, the Beginning Nonlapsing balance is the balance on July 1, while the balance on the next June 30 is termed the Closing Nonlapsing balance. The Closing Nonlapsing balance from one fiscal year becomes the Beginning Nonlapsing balance of the following fiscal year. The reasoning behind nonlapsing funds is that a specific task may take an indeterminate amount of time, or span more than one fiscal year. By allowing departments to keep their unexpended funds, the state not only eliminates the rush to spend money at the end of a fiscal year, but also encourages managers to save money.

Expenditure categories used by the state are:

<i>Personal Services</i>	Includes employee compensation and benefits such as health insurance, retirement, and employer taxes.
<i>Current Expenses Purpose</i>	Includes general expenses such as utilities, subscriptions, communications, postage, professional and technical services, maintenance, laundry, office supplies, small tools, etc. that cost less than \$5,000 or are consumed in less than one year.
<i>Data Processing Current Expense</i>	Includes items such as small computer hardware and software, port charges, programming, training, supplies, etc.
<i>Capital Outlays</i>	Includes items that cost over \$5,000 and have a useful life greater than one year.
<i>Pass Through</i>	Includes funds passed on to other non-state entities for use by those entities, such as grants to local governments.

Other budgeting terms and concepts that the Legislature will encounter include the following:

<i>Performance Measures</i>	<p>In recent years, performance based budgeting has received more attention as citizens and decision-makers demand evidence of improved results from the use of tax dollars.</p> <p>Care must be exercised in crafting performance measures to avoid misdirected results. Moving to performance based budgeting is a long term commitment. The Analyst has drafted some ideas for performance measures in the write-up, however, it is recognized that the measures are a work in progress and that long-term tracking of measures would require a statewide commitment in both the executive and legislative branches.</p>
<i>Intent Language</i>	Intent language may be added to an appropriation bill to explain or put conditions on the use of the funds in the line item. Intent language may restrict usage, require reporting, or impose other conditions within the item of appropriation. However, intent language cannot contradict or change statutory language.
<i>Supplemental Appropriation</i>	The current legislative session is determining appropriations for the following fiscal year. However, it may be determined that unexpected circumstances have arisen which require additional funding for the current year. The appropriations subcommittee can recommend to the Executive Appropriations

Committee that a supplemental appropriation be made for the current fiscal year.

FTE

An abbreviation for Full Time Equivalent, this is a method of standardizing personnel counts. A full time equivalent is equal to one employee working 40 hours per week. Four employees each working ten hours per week would also count as 1 FTE.

Line Item

This is a term that applies to an appropriation bill. A line number in the appropriations bill identifies each appropriated sum. Generally, each line item may contain several programs. Once the appropriation becomes law, the money may be moved from program to program within the line item, but cannot be moved to another line item of appropriation.

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